



**City of St. Helena
Planning Commission
Regular Meeting
Tuesday, October 17, 2023 @ 6:00 PM
Vintage Hall Board Room - Second Floor**

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes.

The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website. Public comment for Planning Commission meetings will be accepted via email to publiccomment@cityofsthelelena.org. All public comments must be emailed at least three hours prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line agenda.

Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing cityclerk@cityofsthelelena.org.

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at <https://sthelelena.civicweb.net/portal/>.

Servicios de interpretación en español durante la reunión pueden ser solicitados por el público. Para asegurar que los intérpretes estén disponibles, los servicios tienen que ser solicitados al menos 72 horas antes de la reunión llamando a la oficina de la Secretaria de la Ciudad al (707) 968-2640 o por correo electrónico a cityclerk@cityofsthelelena.org.

El horario de las reuniones publicadas y próximas puede ser localizado en el sitio de web de la Ciudad en <https://sthelelena.civicweb.net/portal/>.

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1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL  
Chair: John Ponte  
Vice-Chair: Chris Warner  
Commissioners: Autumn Anderson, Chad Krsek, and Marika Rothfeld

City staff present at the meeting will be noted in the minutes.

3. PUBLIC FORUM:  
This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of four minutes.**
4. CONSENT ITEMS

Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

- 4.1. Approval of Minutes: August 15, 2023 7 - 11

[Planning Commission Minutes\\_08.15.23](#)

5. PUBLIC HEARINGS

- 5.1. Request by Ric Forman to amend Use Permit 2009-22 to allow an increase in wine production at the Forman Vineyard located at 1501 Big Rock Road in the Agriculture (A-20) zoning district. 13 - 81

CEQA Determination: Class 1 Categorical Exemption for Existing Facilities

Prepared By: Chantal Power, Associate Planner

Recommendation:

For reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and
2. Accept the required findings and approve the attached resolution granting use permit amendment approval for and increase in wine production from 2,500 cases to approximately 4,400 cases annually for a small winery located at 1501 Big Rock Road.

[1501 Big Rock Rd.- Staff Report](#)

[1. Public Comment Matthes](#)

- 5.2. The applicant is requesting adoption of a resolution approving a demolition permit, design review and a use permit amendment in order to demolish an existing restaurant to accommodate the construction of a new restaurant on the property located at 61 Main Street in the Service Commercial zoning district. 83 - 140

CEQA Determination: Exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15301, 15302, 15303 and 15332.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15301, 15302, 15303 and 15332; and
2. Accept the required findings and approve the attached resolution granting demolition permit, design review and use permit amendment approval for the proposed demolition and new construction on the property located at 61 Main Street.

[61 Main St.- Staff Report](#)

- 5.3. The applicant is requesting adoption of a resolution approving a Short- 141 - 155



Term Rental Permit to rent one dwelling unit on their property located at 777 Fulton Lane in the A-20 zoning district in accordance with the requirements of the Short-Term Rental Ordinance.

CEQA Determination: The project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(B)3.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15061(B)3; and
2. Approve the attached resolution allowing for the issuance of a short-term rental permit at 777 Fulton Lane.

[777 Fulton Ln.- Staff Report](#)

6. SCHEDULED MATTERS

7. DEPARTMENT REPORTS

This is an opportunity for staff to report on or update the Commission on any relevant matters.

8. AGENDA FORCAST

Below is a link to a list of pending and upcoming projects which may be of interest to the community.

This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

A list of all current planning projects is available on our city website in the link below:

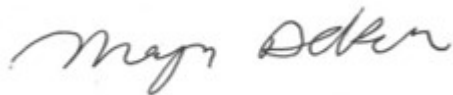
[http://www.cityofsthelena.org/projects?term\\_node\\_tid\\_depth=21](http://www.cityofsthelena.org/projects?term_node_tid_depth=21)

Please contact the assigned project Planner for additional questions.

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for November 7, 2023 at 6:00 p.m. in the Vintage Hall Board Room located at 465 Main Street.

This agenda was posted at City Hall, 1088 College Avenue, and at Vintage Hall, 465 Main Street, St. Helena, California on October 5, 2023.



Maya DeRosa, Planning & Building Director

**Appeal.** A person who is dissatisfied with a decision of the Planning Commission may appeal that decision to the City Council pursuant to Municipal Code Section 17.08.180, Appeal procedure. Actions of the Planning Commission will be listed on the City Council agenda the following

Tuesday to give the City Council opportunity to review the Planning Commission's decision. Absent of an appeal by the City Council or by a citizen, the appeal period will terminate two weeks after the Planning Commission hearing.

**Special Assistance for the Disabled.** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 48 hours prior to the meeting will enable City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

#### PUBLIC TESTIMONY PROCEDURES

Pursuant to the Government Code Section 54954.3, the public may address the Commission on each agenda item during the Commission's consideration of that item. Each speaker has the option to state his or her name for the record before testifying. Depending on the number of speakers or the interest of the item, the Planning Commission Chairman may also restrict, at his/her discretion, the speaker's time to three minutes. The Chairman may also restrict public comments if they become irrelevant to the agenda item or repetitious of prior comments. All persons interested may appear and be heard or submit written statements prior to the Planning Commission meeting. Please note that if you challenge the City's decision on any of these matters in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the City at, or prior to, the meeting.

#### CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE  
AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the Planning Department's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <http://cityofstheleena.org> and will be available for public review at the respective meeting.



**MINUTES**  
**City of St. Helena**  
**Planning Commission Meeting**  
**Tuesday, August 15, 2023 @ 6:00 PM**  
**Vintage Hall Board Room - Second Floor**  
**465 Main Street, St. Helena**

A complete video recording of this meeting can be found at <https://sthelena.civicweb.net/Portal/> or by calling the City Clerk at (707) 967-2792. The Planning Commission video is the official record of the Planning Commission meeting.

**Present:** Chair John Ponte, Vice Chair Christopher Warner, Commissioner Autumn Anderson, Commissioner Chad Krsek, and Commissioner Marika Rothfeld (*Left the meeting at 8:30 p.m.*)

**Absent:** None

**Staff Present:** Maya DeRosa, Community Development Director, Aaron Hecock, Senior Planner, Roger Eastman, Consultant with Lisa Wise Consulting, and Xinia Gamero, Planning Commission Secretary

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER AND ROLL CALL**

**3. PUBLIC FORUM:**

None.

**4. CONSENT ITEMS**

**4.1 Approval of Minutes: June 20, 2023**

Vice Chair Christopher Warner moved to approve the Minutes of June 20, 2023. The motion was seconded by Commissioner Chad Krsek and on roll call carried by the following vote:

AYES: Chad Krsek, John Ponte, Marika Rothfeld, and Christopher Warner

NOES: None

ABSENT: None

ABSTAIN: Autumn Anderson

RECUSE: None

**4.2 Approval of Minutes: July 18, 2023**

Vice Chair Christopher Warner moved to approve the Minutes of July 18, 2023. The motion was seconded by Commissioner Chad Krsek and on roll call carried by the following vote:

AYES: Autumn Anderson, Chad Krsek, John Ponte, and Christopher Warner

NOES: None

ABSENT: None

ABSTAIN: Marika Rothfeld

RECUSE: None

- 4.3 The applicant is requesting approval of a Voluntary Lot Merger to consolidate four parcels back into one parcel at 1486 Sulphur Springs Ave. in the Medium Density Residential zoning district.

**Prepared By:** Aaron Hecock, Senior Planner

- 4.4 Request by Tom Braegelmann for approval of a Lot Line Adjustment moving a shared property line between 1003 and 1007 Charter Oak Ave. in the Medium Density Residential zoning district.

**Prepared By:** Aaron Hecock, Senior Planner

Vice Chair Christopher Warner moved to approve items 4.3 and 4.4 on the Consent Calendar. The motion was seconded by Commissioner Chad Krsek and on roll call carried by the following vote:

AYES: Chad Krsek, John Ponte, Marika Rothfeld, and Christopher Warner

NOES: Autumn Anderson

ABSENT: None

ABSTAIN: None

RECUSE: None

## 5. PUBLIC HEARINGS

- 5.1 Request the Planning Commission recommend the City Council adopt an ordinance amending Title 17 (Zoning) of the St. Helena Municipal Code (ZOA 2023-001), amend the Zoning Map to be consistent with the General Plan land use designations and implementing an expanded Historic Preservation Overlay District (ZMA 2023-001)

**Prepared By:** Maya DeRosa, Community Development Director

Community Development Director Maya DeRosa addressed the Planning Commission and introduced project consultant Roger Eastman.

Chair Ponte opened the public hearing.

No ex parte communication was disclosed by the Planning Commission.

Roger Eastman, Consultant with Lisa Wise Consulting, showed a presentation and reported on the item.

Miriam Hansen, John Murphy, Charles Covell, Tracy McBryde, Christine Shelton, Christine Hale, Steve Goldfarb, Greg Desmond, Connie, Jeff Feeney, and Larry Cronwell addressed the Planning Commission.

Vice Chair Christopher Warner propose for a straw vote to approve the presented comment for review, which suggests the elimination of the requirement for a Conditional Use Permit (CUP) for small lot subdivision in Medium Density Residential (MR) districts and replacing it with a Minor Use Permit (MUP) while maintaining the same noticing requirements as those of a Conditional Use Permit.

The motion was seconded by Commissioner Autumn Anderson and on roll call failed by the following vote:

AYES: Autumn Anderson and Christopher Warner  
NOES: Chad Krsek, John Ponte, and Marika Rothfeld  
ABSENT: None  
ABSTAIN: None  
RECUSE: None

The motion failed due to a lack of majority vote.

Chair Ponte called for a recess at 8:24 p.m.

Commissioner Rothfeld left the meeting.

Chair Ponte reconvened the meeting at 8:35 p.m.

Greg Desmond addressed the Planning Commission.

Chair Ponte called for a vote to extend the meeting until 9:30pm.

Vice Chair Christopher Warner moved to extend the meeting until 9:30pm. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, Chad Krsek, John Ponte, and Christopher Warner  
NOES: None  
ABSENT: Marika Rothfeld  
ABSTAIN: None  
RECUSE: None

Chair Ponte called for a vote to extend the meeting until 10:00pm.

Vice Chair Christopher Warner moved to extend the meeting until 10:00pm. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, Chad Krsek, John Ponte, and Christopher Warner  
NOES: None



ABSENT: Marika Rothfeld

ABSTAIN: None

RECUSE: None

Greg Desmond addressed the Planning Commission.

Chair Ponte called for a vote to extend the meeting until 10:15 p.m.

Vice Chair Christopher Warner moved to extend the meeting until 10:15 p.m.  
The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, Chad Krsek, John Ponte, and Christopher Warner

NOES: None

ABSENT: Marika Rothfeld

ABSTAIN: None

RECUSE: None

Chair Ponte closed the public hearing at 10:07 p.m.

Vice Chair Christopher Warner moved to recommend that the Planning Commission adopt a resolution as amended based on the discussion (Attachment 8) recommending the City Council:

- 1) Find that, pursuant to CEQA Guidelines section 15162, all environmental impacts of the City of St. Helena Zoning Code Update have been addressed within the FEIR for the 2040 General Plan EIR
- 2) Adopt an ordinance as amended based on the discussion (Attachment 9) amending Title 17 (Zoning) of the St. Helena Code (ZOA 2023-001); and
- 3) Amend the zoning map as amended based on the discussion to be consistent with the General Plan land use map and implementing an expanded Historic Preservation Overlay District (ZMA 2023-001) as amended by the Planning Commission. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, Chad Krsek, John Ponte, Marika Rothfeld, and Christopher Warner

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

## **6. SCHEDULED MATTERS**

None.

**7. DEPARTMENT REPORTS**

Community Development Director Maya DeRosa expressed gratitude to the Planning Commission for their dedicated efforts on this project.

**8. AGENDA FORCAST**

Vice Chair Warner directed staff to hold a future Planning Commission meeting within one year of adoption aimed at evaluating the effectiveness of the revised zoning code and collecting input from the public.

**9. ADJOURNMENT**

Chair Ponte adjourned the meeting at **10:11 p.m.**

The August 15, 2023 minutes were approved at the \_\_\_\_\_  
Planning Commission meeting.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
John Ponte, Planning Commission Chair

\_\_\_\_\_  
Maya DeRosa, AICP  
Community Development Director





**PLANNING COMMISSION REPORT**

Planning Commission Meeting of October 17, 2023

**FILE NUMBER:** PL20-052

**SUBJECT:** Request by Ric Forman to amend Use Permit 2009-22 to allow an increase in wine production at the Forman Vineyard located at 1501 Big Rock Road in the Agriculture (A-20) zoning district.

**PREPARED BY:** Chantal Power, Associate Planner

**REVIEWED BY:** Maya DeRosa, Community Development Director

**APPROVED BY:** Maya DeRosa, Community Development Director

**APPLICATION FILED:**12/29/20

**ACCEPTED AS COMPLETE:**06/26/23

**LOCATION OF PROPERTY:** 1501 Big Rock Road

**APN:** 025-070-029

**GENERAL PLAN/ZONING:** Agriculture/Twenty-Acre Agriculture (A-20)

**APPLICANT:** Jeff Redding on behalf of  
Ric Forman

**PHONE:** (707) 255-7375

**BACKGROUND**

The subject property located at 1501 Big Rock Road has been under the ownership of Ric Forman since 1979. The following is the entitlement and permit history of the Forman Winery:

1984

- A use permit was approved for winery operations and included approval of a winery building, storage building, crush pad, and a deck constructed with permits following the use permit approval. The use permit allowed for the production of 2,500 cases of wine annually.

1990

- The City initiated a rezone of several properties, including 1501 Big Rock Road, from Ag/Watershed to Woodland Watershed (WW) for General Plan compliance. The rezone resulted in the legal non-conforming status of the existing vineyard, as the use permit approved in 1984 was for the winery, but the vineyard, an approved use under the Ag/Watershed designation required a use permit under the WW designation.
- Several buildings accessory to the vineyard and winery operations were constructed without permits following the 1990 rezone, including a 2,224 square foot barn, a 560 square foot tasting room, a 156 square foot bathroom, a 406 square foot cave portal, and a 775 square foot equipment shed.

2009

- Design Review 2009-01 was approved by the Planning Commission on February 17, 2009, to replace the permitted 1,057 square foot deck with a 632 square foot second dwelling unit.
- Rezone 2008-55 was approved by the City Council on May 12, 2009, to rezone the property from WW to Twenty-Acre Agriculture (A-20) to rectify the zoning with the existing structures and operations and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
- Use Permit and Design Review 2009-22 was approved on August 4, 2009, by the Planning Commission to legalize the barn, tasting room, bathroom, cave portal, and equipment shed structures, and approved a new 484 square foot two-story cylindrical storage tower.

### **PROJECT DESCRIPTION**

Forman Vineyard located at 1501 Big Rock Road in the A-20 zoning district, on a 20.26-acre parcel with 9.5 acres of vineyards, approximately 2,000 feet northeast of the intersection with Howell Mountain Road. Current operations allow four full-time employees, ten visitors per day, and the production of 2,500 cases annually. The applicant is requesting an increase to a total of approximately 4,400 cases annually. The current operations produce 42 tons of grapes, and the requested increase would require 25 additional tons of grapes to be trucked to the site from the adjacent parcel (APN: 021-320-022), which would result in approximately two to three additional truck trips over the four to six week harvesting period. The additional production would result in a negligible increase in water use, approximately 0.16-acre feet annually. The project does not propose construction of new structures or expansion of existing structures, nor does it propose additional changes to operations beyond the requested increase in production.

### **ANALYSIS**

#### **CEQA**

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) which exempts the operation, permitting and leasing of private structures involving negligible or no expansion of existing or former use. The project site is not visible from a scenic highway, is not included on a hazardous waste site, and will

not impact historic resources or otherwise generate or contribute to any potentially significant impacts. Additionally, a previous Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were adopted for the 2009 zone change, finding no potential impacts that could not be mitigated to a less than significant level. Although, the project would increase existing production, the project still falls under the category of a small winery and would only minimally increase water usage by 0.16-acre foot per year, and traffic by two to three truck trips over the four to six week harvesting period, neither of which would require additional mitigation or CEQA review.

#### **GENERAL PLAN**

The subject property has a General Plan Land Use designation of Agriculture (AG). The AG land use designation provides for agricultural, and winery uses with restricted single-family residential and public/quasi-public uses. This designation applies to large areas of the valley floor that surround the city's urban core. With the exception of hillside area designated WW, all lands outside the urban limit line are designated AG regardless of their size or actual use. The 2040 St. Helena General Plan Update includes the following policies that are relevant to the proposed project:

- LU1.3 - Support agricultural and low-intensity uses beyond the Urban Limit Line.
- LU5.1 - Discourage conversion of existing farmland to non-agricultural uses
- LU5.6 - Permit wineries and other agricultural-related industries to locate in the city if their location does not adversely impact surroundings, uses, or city services (water, traffic, etc.) or the quality and character of the community.
- ES1.2 - Identify and expand economic sectors in which the City has competitive advantages and capitalize on these strengths in order to diversify local economic activities and strengthen St. Helena's role as an agriculturally-based service center for the surrounding area.
- ES2.2 - Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.

***Staff Response:** In accordance with the General Plan and in particular those policies listed above, the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities. The project would also be oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. As a small winery operation, the project is a low intensity use that would not adversely impact surrounding uses, city services, or the quality or character of the community. For these reasons, the proposed project exhibits overall consistency with the General Plan Update 2040.*

#### **ZONING**

Consistent with the General Plan land use designation described above, the subject property has a zoning designation of Twenty-Acre Agriculture (A-20), which allows residential and agricultural uses, and is intended to preserve agricultural land uses. With the exception of those hillside areas designated woodlands and watershed, and wineries designated winery, all lands outside the urban limit line are designated A-20 regardless

of their size or use. The purpose of the A-20 district is to promote and implement the policies of the general plan to preserve agricultural land uses and provide for future orderly development as the urban limit line is adjusted to accommodate urban growth. Additionally, Section 17.080.080 requires small wineries to comply with the following standards:

- The property on which the winery is located must be a minimum of five acres in size.  
*The winery is located on a 20.26-acre parcel.*
- The winery must be accessory to a primary residential use.  
*The primary use on the property is a single-family residence and accessory dwelling unit occupied by the owner/operators of the vineyard and winery.*
- The development of small wineries must be consistent with the development standards for accessory buildings for the district in which the winery is located.  
*The existing structures on the project site have been approved by the Planning Commission through the Design Review 2009-01 and have been inspected and approved by the Building and Safety Department.*
- Only one small winery is permitted per parcel.  
*The project consists of one vineyard and winery. The proposed production increase from 2,500 cases to approximately 4,400 cases per year would still fall under the definition of a small winery.*
- A minimum of eighty-five percent (85%) of the grape source utilized for the wine produced at the small winery shall be grown on the premises and contiguous parcels.  
*The current operations produce 42 tons of grapes, and the requested increase would require 25 additional tons of grapes to be trucked to the site from the adjacent parcel (APN: 021-320-022).*
- No municipal water may be utilized for the small winery operations or vineyard irrigation.  
*The vineyard currently uses existing on-site wells, and the project would only result in an additional 0.16-acre foot per year of water used for the proposed production increase.*
- A minimum of three parking spaces shall be provided.  
*There is ample space for parking to accommodate the two full-time residents, four full-time employees, and a maximum of 10 visitors per day.*

#### **WATER**

Section 17.180.090(A) of the Municipal Code requires a well water analysis if any wells on the property have adequate capacity to support the estimated future water use. Section 17.180.090(B) requires an application for a small winery use permit shall include Phase I Water Availability Analysis (WAA-1), describing current and estimated future water use on the parcel, including residential, small winery, and irrigation uses, for review by the city engineer, to determine if the water use is likely to exceed one acre foot of water per acre of land per year.

*Staff Response:* *The increase in wine production from 2,500 cases (6,000 gallons) to approximately 4,400 cases (12,000 gallons) annually would result in a marginal increase in water use. A Phase I Water Availability Analysis has been prepared for the project in*

*accordance with Section 17.080.080 of the SHMC and determined that the total increase in water usage will be 0.16-acre feet annually. Current water usage is 3.54-acre feet and will increase to 3.70-acre feet annually. Public Works has reviewed and approved the Phase I Water Availability Analysis and determined that the increase will not be adverse to City services or surrounding wells and land uses, or to City water, as all the water required for the winery operations and irrigation is supplied by on-site wells.*

#### **USE PERMIT AMENDMENT**

As noted above, SHMC Section 17.20.030 requires use permit approval for small wineries in the A-20 district. As the applicant wishes to expand wine production beyond what was previously approved, a use permit amendment is required. The purpose of a use permit is to allow the proper integration of essential or desirable uses which may be suitable only in certain locations or zoning districts in the City, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. Pursuant to Municipal Code Section 17.168.050, no use permit shall be granted unless the following findings can be made:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

*The proposed increase in wine production will not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community as the operations will only change modestly to meet the proposed increase, and current operations do not create impacts that are injurious to the surrounding uses or community.*

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.

*The current winery operations do not generate levels of noise that adversely impact neighboring properties or uses. The proposed increase in production is modest and not likely to produce noise beyond the current operations.*

3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.

*The proposed increase in wine production would only generate two to three additional truck trips to the winery during the four-to-six-week harvesting period and would be trucked from the neighboring parcel. No increase in traffic noise will result.*

4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

*The proposed increase would not make excessive demands on public services. The Water Availability Analysis for the project was reviewed and approved by the*



*Public Works Department and a Wastewater Feasibility report was reviewed and approved by the Napa County Environmental Health Department. The County provided conditions for the proposed increase which have been included on the project conditions of approval contained in the attached resolution.*

5. That the proposed use would provide adequate ingress and egress to and from the proposed location.

*No changes to the existing ingress and egress are proposed and existing conditions are adequate for the current operations as well as the proposed increase in wine production which would only minimally affect traffic to the site.*

6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

*The proposed increase in wine production would contribute to the City's goal of maintaining the economic viability of a local serving economy.*

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

*The proposed use is surrounded by other vineyards and agricultural lands and is consistent with the AG general plan land use designation and the A-20 zoning district, which allows for agricultural, and winery uses with restricted single family residential and public/quasi-public uses.*

8. That the proposed use would not be in conflict with the City's General Plan.

*The proposed use will not conflict with the City's General Plan which allows agricultural uses including vineyards and wineries in the AG land use designation.*

9. That the proposed use would not be injurious to public health, safety, or welfare.

*The proposed increase in wine production minimally increase impacts to traffic and water use beyond those that are generated under current operations and would not be injurious to public health, safety, and welfare.*

10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.

*A conditionally approved vineyard and winery use already exists on the project site and the request to increase the annual production of wine will not create a precedent that would be detrimental to the City or conflict with the General Plan.*

*The increase in production would not require the expansion of existing or construction of new structures and would result in only a minor increase in water usage, which would be supplied by the existing on-site wells, and traffic from a neighboring parcel. Furthermore, the increased demand to the on-site wells is minimal (an increase of approximately 0.16-acre feet per year) and would not require a Phase II Water Availability Analysis as specified by Section 17.180.090.B of the SHMC.*

11. That as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available.

*The project site adequately accommodates the off-street parking needs of the existing operations and the requested increase in wine production would not increase the parking needs of the existing vineyard and winery operations.*

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

*The proposed increase in wine production would not only result in an additional two to three trucks over the course of the four-to-six-week harvest period from the neighboring parcel. The surrounding streets would not be impacted by this increase.*

### **ISSUES**

Staff has not identified any outstanding issues related to this application that require additional discussion.

### **CORRESPONDENCE**

At the time of packet distribution staff had not received any correspondence related to this application.

### **STAFF RECOMMENDATION**

For reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and
2. Accept the required findings and approve the attached resolution granting use permit amendment approval for and increase in wine production from 2,500 cases to approximately 4,400 cases annually for a small winery located at 1501 Big Rock Road.

### **ATTACHMENTS**

[Resolution](#)

[Project Plans](#)

[Water Availability Analysis](#)  
[Project Statement](#)  
[1985 Use Permit & Variance Letter](#)  
[GPA 2008-55 Resolution and Ordinance](#)  
[Negative Declaration 2009](#)  
[MMRP 2009](#)

**CITY OF ST. HELENA PLANNING COMMISSION  
RESOLUTION NO.  
GRANTING USE PERMIT AMENDMENT APPROVAL TO  
1501 Big Rock Road (File No. PL20-052)**

**PROPERTY OWNER:** Ric Forman of Forman Vineyard

**APN:** 025-070-029

**Recitals**

1. The applicant has requested adoption of a resolution approving a use permit amendment in order to expand annual wine production from 2,500 cases (6,000 gallons) to 4,4 00 cases (12,000 gallons) at the Forman Vineyard located at 1501 Big Rock Road in the A-20 zoning district; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on October 17, 2023; and
4. Now, therefore let it be found that the Planning Commission approves the use permit amendment thereby authorizing the modifications contained in said application based on the findings below and subject to the conditions of approval enumerated herein.

**Resolution**

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures involving negligible or no expansion of existing or former use.
- C. In accordance with SHMC Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit amendment:
  1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

*The proposed increase in wine production will not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community as the operations will only change modestly to meet the proposed increase, and current operations do not create impacts that are injurious to the surrounding uses or community.*

1501 Big Rock Road  
Resolution / Conditions of Approval  
October 17, 2023

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.

*The current winery operations do not generate levels of noise that adversely impact neighboring properties or uses. The proposed increase in production is modest and not likely to produce noise beyond the current operations.*

3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.

*The proposed increase in wine production would only generate two to three additional truck trips to the winery during the four-to-six-week harvesting period and would be trucked from the neighboring parcel. No increase in traffic noise will result.*

4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

*The proposed increase would not make excessive demands on public services. The Water Availability Analysis for the project was reviewed and approved by the Public Works Department and a Wastewater Feasibility report was reviewed and approved by the Napa County Environmental Health Department. The County provided conditions for the proposed increase which have been included on the project conditions of approval contained in the attached resolution.*

5. That the proposed use would provide adequate ingress and egress to and from the proposed location.

*No changes to the existing ingress and egress are proposed and existing conditions are adequate for the current operations as well as the proposed increase in wine production which would only minimally affect traffic to the site.*

6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

*The proposed increase in wine production would contribute to the City's goal of maintaining the economic viability of a local serving economy.*

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

*The proposed use is surrounded by other vineyards and agricultural lands and is consistent with the AG general plan land use designation and the A-20 zoning*

*district, which allows for agricultural, and winery uses with restricted single family residential and public/quasi-public uses.*

8. That the proposed use would not be in conflict with the City's General Plan.

*The proposed use will not conflict with the City's General Plan which allows agricultural uses including vineyards and wineries in the AG land use designation.*

9. That the proposed use would not be injurious to public health, safety, or welfare.

*The proposed increase in wine production minimally increase impacts to traffic and water use beyond those that are generated under current operations and would not be injurious to public health, safety, and welfare.*

10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.

*A conditionally approved vineyard and winery use already exists on the project site and the request to increase the annual production of wine will not create a precedent that would be detrimental to the City or conflict with the General Plan. The increase in production would not require the expansion of existing or construction of new structures and would result in only a minor increase in water usage, which would be supplied by the existing on-site wells, and traffic from a neighboring parcel. Furthermore, the increased demand to the on-site wells is minimal (an increase of approximately 0.16-acre feet per year) and would not require a Phase II Water Availability Analysis as specified by Section 17.180.090.B of the SHMC.*

11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.

*The project site adequately accommodates the off-street parking needs of the existing operations and the requested increase in wine production would not increase the parking needs of the existing vineyard and winery operations.*

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

*The proposed increase in wine production would only result in an additional two to three trucks over the course of the four-to-six-week harvest period from the neighboring parcel. The surrounding streets would not be impacted by this modest increase.*

*Staff Response: Staff finds that the project meets and/or complies with the required findings to approve a use permit amendment for the proposed project.*

**Planning Department Conditions of Approval**

- D. The Planning Commission approves a use permit amendment for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
  2. The use permit amendment shall be vested within one (1) year from the date of final action, or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
  3. This permit is valid for this use only. New permits must be applied for upon any change in use. This permit will expire if the use is discontinued pursuant to the existing ordinances and regulations.
  4. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
  5. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
  6. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
  7. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
  8. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
  9. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.

1501 Big Rock Road  
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10. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
12. Operations shall be in compliance with plans submitted and reviewed by the Planning Commission on October 17, 2023, except as modified herein.
13. A Sign Permit must be applied for and obtained for any new and/or replacement signage.
14. This use permit amendment PL 20-052 replaces all prior conditions of approval from the 1984 Use Permit and Variance, and Design Review 2009-22.
15. Compliance shall be maintained with the mitigation measures approved with Resolution 2009-23 adopting a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the general plan amendment and rezoning approved in 2009.
16. All exterior lighting shall be low mounted, downward casting and fully shielded. Light fixtures shall not be located at the periphery of the property and shall be located so that light and glare do not spill over onto adjacent properties or into the sky. Flood lights are not permitted and security lighting, if utilized, shall be on motion-sensors.
17. A business plan shall be filed annually with the County of Napa hazardous materials section of the Department of Environmental Management. No hazardous or flammable materials shall be stored outside of the building without a proper storage container.
18. The 2,224 square foot barn plus attached 775 square foot equipment shed shall be used for storage of case goods and agricultural (vineyard farming) equipment, and for a repair shop for farming/winery equipment and vehicles.
19. The 560 square foot building shall be used for private, appointment-only wine tasting as follows:
  - a) Tasting and sale of wine shall be by appointment only. No public tours or tasting are permitted. Appointments for visits to the winery, including marketing events, are limited to four days per week, no more than three appointments per day, and no more than 10 persons visiting on one day.
  - b) Public events are not permitted at the winery.



- c) There can be no advertising of private wine marketing events in publications produced for general distribution. All attendees must have been specifically invited to participate in the private wine marketing event by the owner/operator.
- d) No items other than wine produced on the premises shall be sold at the winery.
- 19. The 156 square foot restroom shall be used by family, employees, and winery guests.
- 20. The 406 square foot cave portal which provides access to the wine storage cave may be used for storage of winemaking equipment.
- 21. The 27-foot tall, two-level storage tower with an approximate floor area of 484 square feet may be used for storage of winemaking equipment.
- 22. This property is located in the agricultural district where there is a right-to-farm the adjoining property. There is a good-faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
- 23. A minimum of eighty-five percent (85%) of the grape source utilized for the wine produced at the small winery shall be grown on the premises and contiguous parcels as approved by use permit, pursuant to Section 17.180.080.E of the SHMC.
- 24. All water used for the vineyard and winery shall be provided from the existing on-site wells. A request for additional wells or City water will be subject to the approval of a Use Permit amendment, and any permits required by the Public Works Department and by the County.
- 25. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The Public Works Director must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

**Public Works Department Conditions of Approval**

- 24. The applicant shall conform to the conditions of the Napa County Planning, Building and Environmental Services as set forth in the Memorandum dated June 25, 2021 and shall be fulfilled prior to the issuance of any building permits or final occupancy for the winery expansion and increase in visitors.
- 25. The onsite wastewater treatment (septic tank) system shall conform to Napa County technical standards and plans approved by Napa County Environmental

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Services shall be submitted for approval prior to clearance for issuance of a building permit.

26. Applicant is requested to comply with SHMC 13.16.080: All property owners with wells approved pursuant to this chapter shall meter the well's water level on a monthly basis and submit such water level data to the department of public works on a form approved by the director. This report shall be submitted annually to the director of public works prior to July 1st of each year, or at the close of any shorter reporting period which may be established by the director. The property owner shall maintain the meter in sound operating condition at all times.
27. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
28. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
29. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.
30. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.
31. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City and/or Caltrans Standards prior to Certificate of Occupancy.
32. An encroachment permit shall be required from the City for any work performed on a City water lateral, meter, or an upgrade to a backflow device.

#### **Fire Department Conditions of Approval**

33. Any gates installed to control vehicular access to a property are required to be setback 30 feet from the property line and/or edge of pavement, whichever is

greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

**Napa County Environmental Health Department Conditions of Approval**

34. General Waste Discharge Requirements for Winery Process Water have been adopted by the State Water Quality Control Board (General Order). The General Order is available for review on the state's website, [Winery Order | California State Water Resources Control Board](#). The applicant will be required to comply with the General Order, information regarding compliance will be provided as soon as it is available. The applicant is advised to start measuring the amount of process water generated from wine making activities and may consult with their wastewater engineer to determine the best way to gather this data.
35. Plans for the proposed process and domestic wastewater treatment system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be submitted for review and approval with complete design criteria based upon local conditions and current plan check fee to this Division.
36. A permit to construct the proposed process and domestic wastewater treatment system must be secured from this Division.
37. The applicant shall maintain regular monitoring of the wastewater treatment system as required by this Division which includes hiring a service provider to monitor the system and submitting monitoring reports. An annual operating report permit is required for the wastewater system until such time as the applicant enrolls for coverage under the General Order and will be required to comply with the General Order.
38. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business plan shall be submitted to [CERS | California Environmental Reporting System](#) and approved by this Division.
39. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
40. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.

**I HEREBY CERTIFY** that the foregoing use permit amendment application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on October 17, 2023, by the following roll call vote:

1501 Big Rock Road  
Resolution / Conditions of Approval  
October 17, 2023

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

APPROVED:

ATTEST:

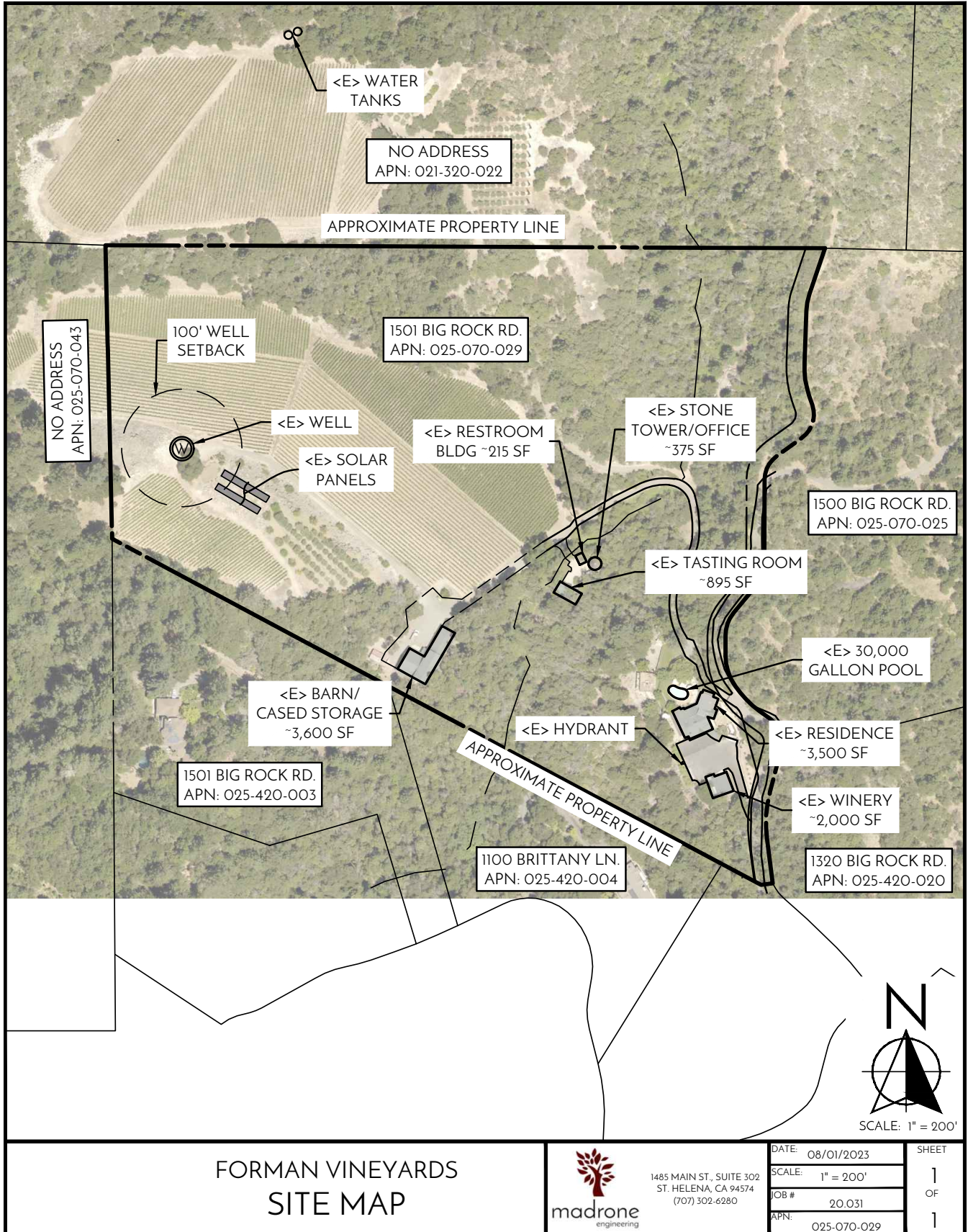
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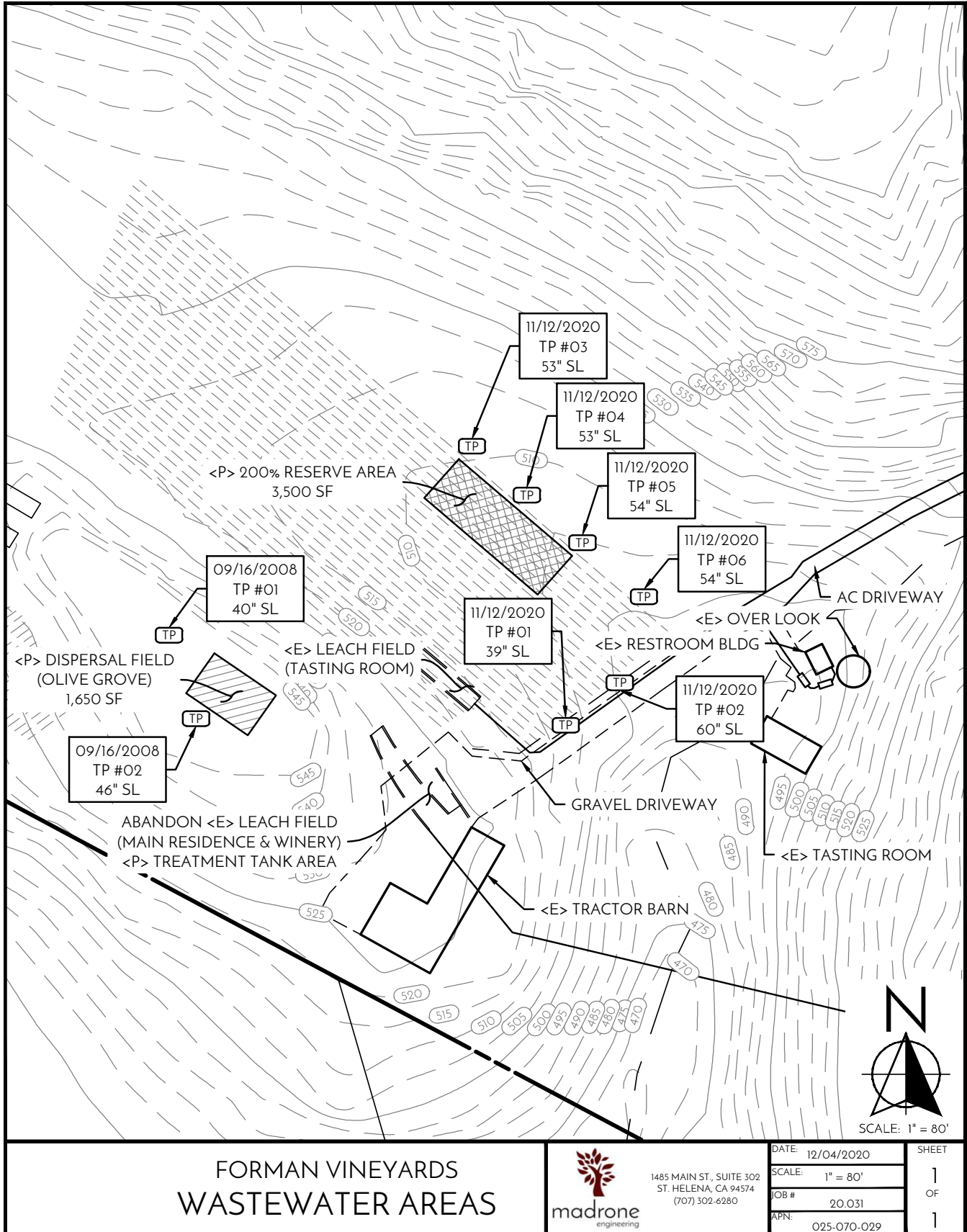
John Ponte  
Chair, Planning Commission

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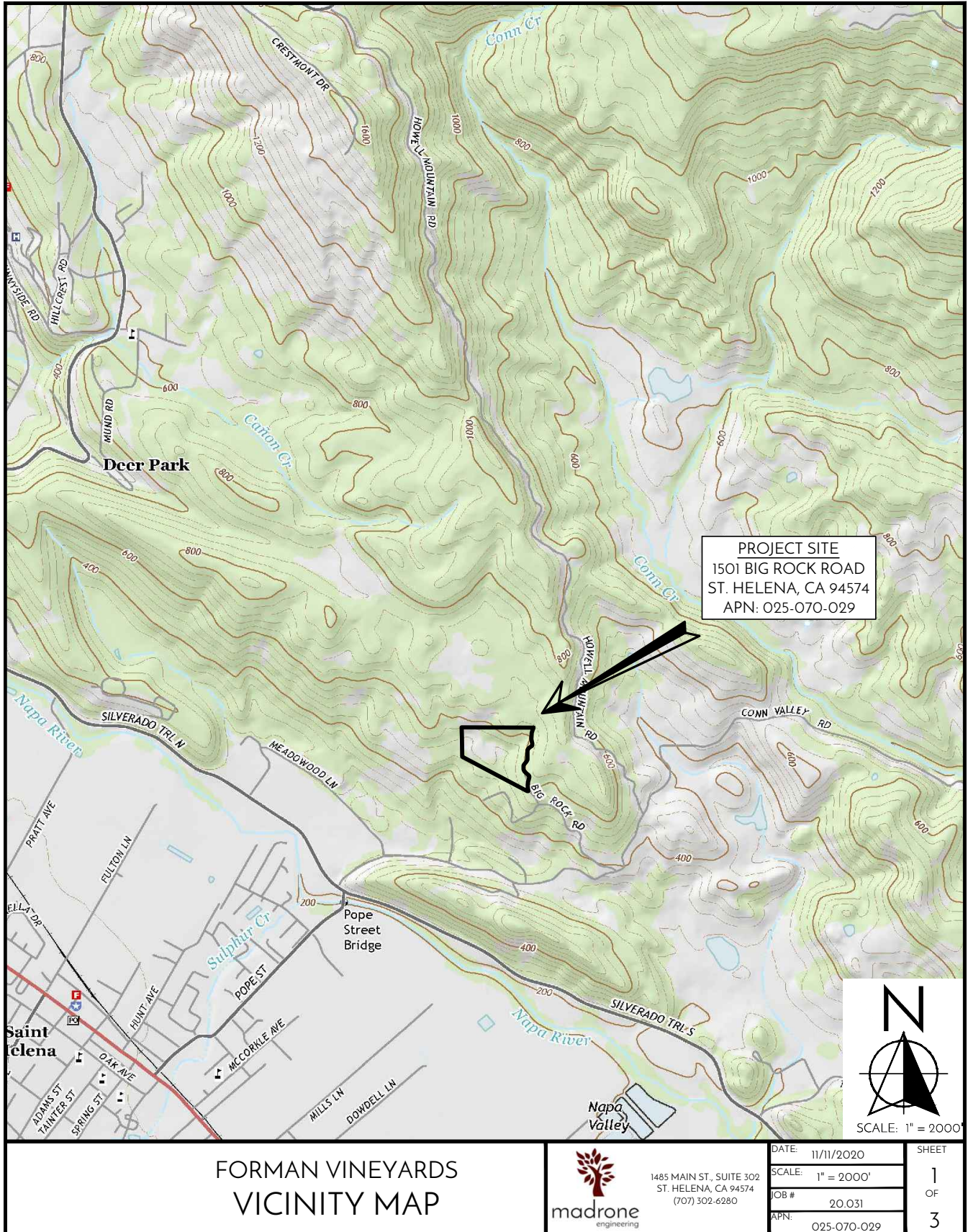
Maya DeRosa, AICP  
Planning and Building Director



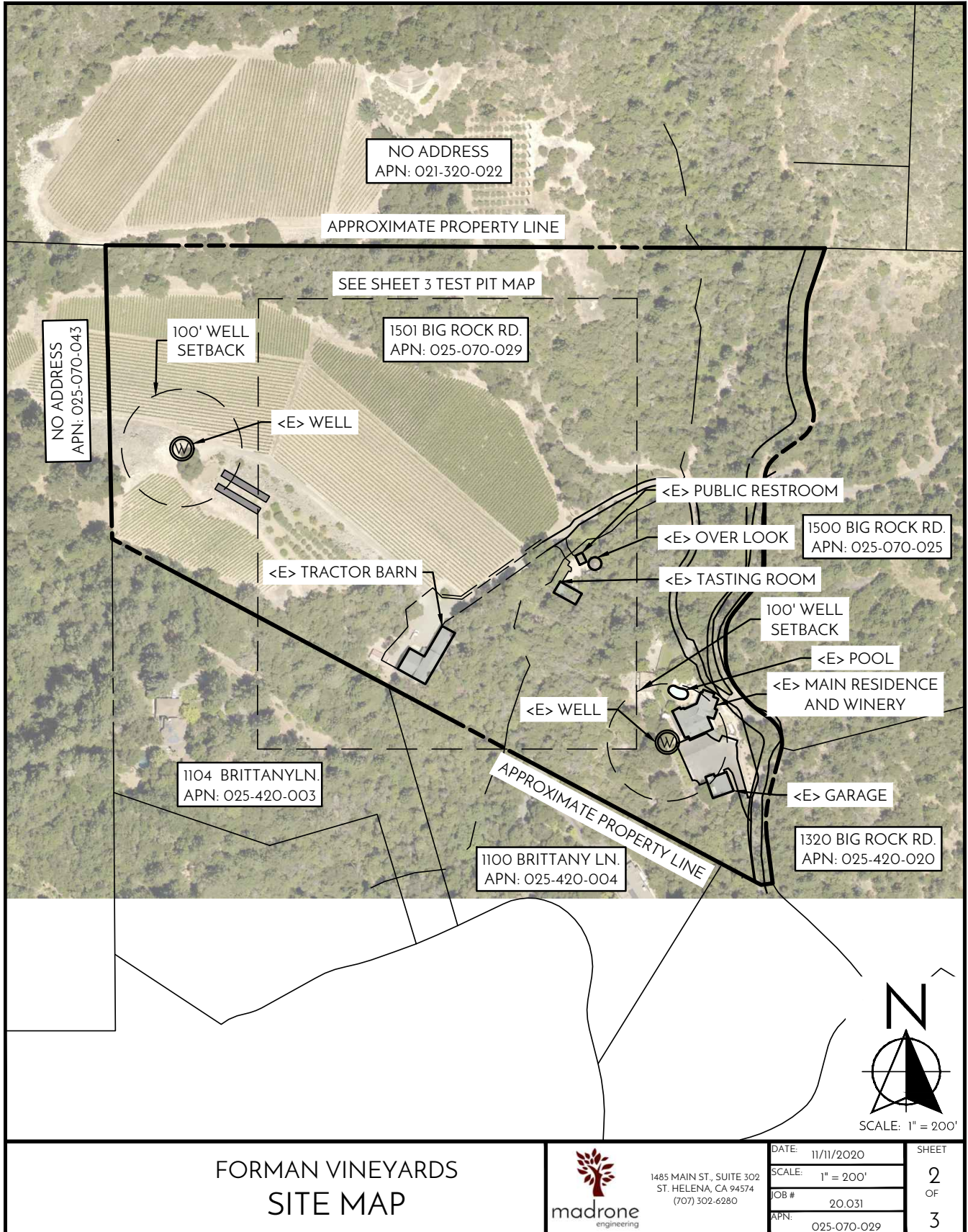




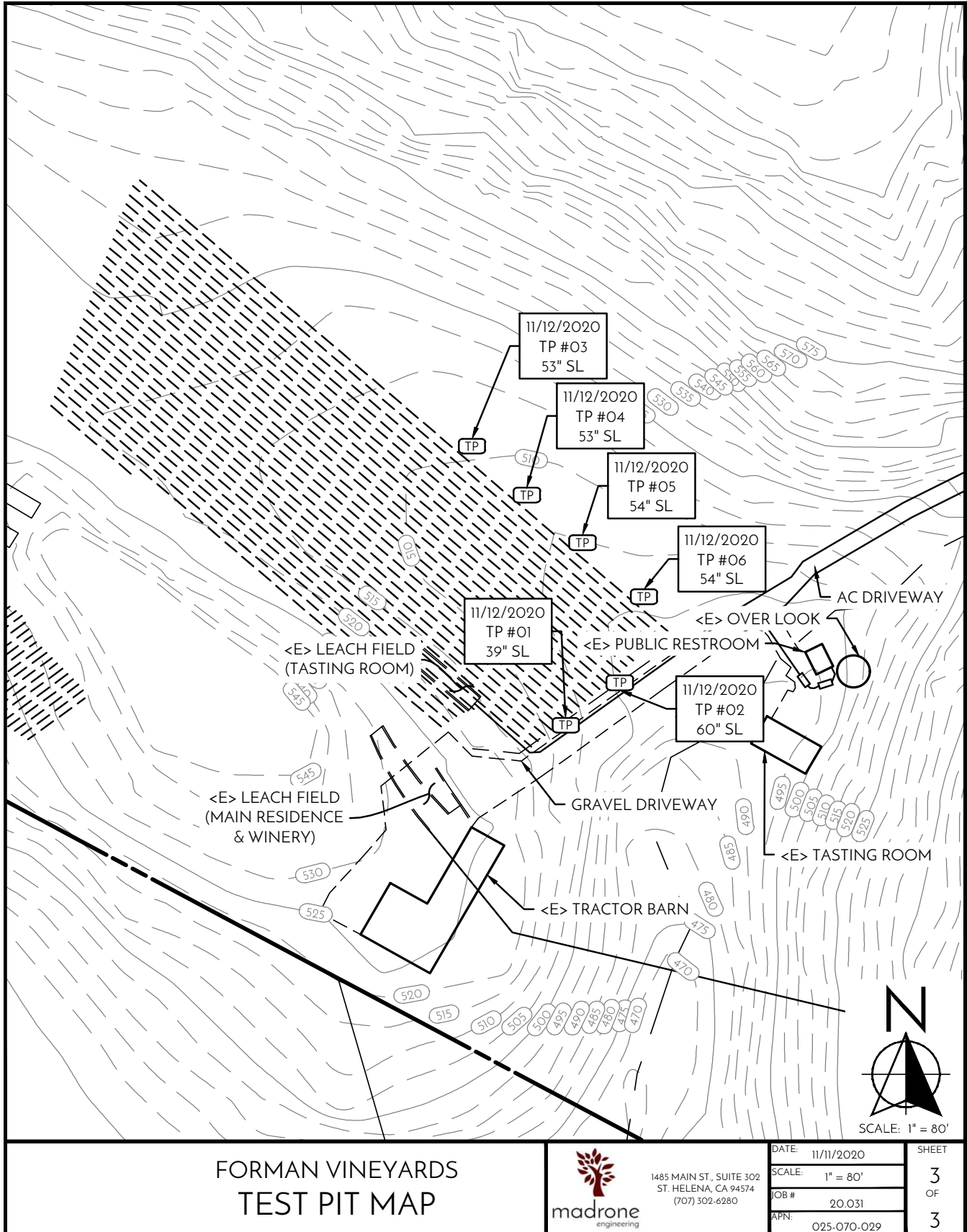












## FORMAN VINEYARDS TEST PIT MAP



1485 MAIN ST., SUITE 302  
ST. HELENA, CA 94574  
(707) 302-6280

|        |             |
|--------|-------------|
| DATE:  | 11/11/2020  |
| SCALE: | 1" = 80'    |
| JOB #  | 20.031      |
| APN:   | 025-070-029 |

|       |   |
|-------|---|
| SHEET | 3 |
| OF    | 3 |





**FIRE PLAN NOTES:**

FUEL ANALYSIS: HEAVY TIMBER (8-CLOSED TIMBER LITTER OR 9-HARDWOOD LITTER ON THE ALBINI MODEL)  
FIRE HAZARD SEVERITY: MODERATE LRA  
FIRE HISTORY: THIS PARCEL WAS BURNED OVER DURING THE 2020 GLASS FIRE ALL BUILDINGS WERE PRESERVED DURING THE FIRE.  
DEFENSIBLE SPACE: OWNER HAS ALREADY PROVIDED DEFENSIBLE SPACE  
FIRE HYDRANT: DRAFT HYDRANT LOCATED NEAR TURNAROUND  
FIRE WATER SUPPLY: TWO WATER TANKS, 11,000 GALLONS & 6,000 GALLONS, 30,000 GALLON POOL WITH SHP PUMP AND HOSES FOR EMERGENCY USE  
KNOX BOX: LOCATED AT WINERY ENTRANCE

**NOTES**

OWNER SHALL CUT ALL DEAD, DYING, AND DECAYING VEGETATION.  
CUT GRASS TO FOUR INCHES.

DEFENSIBLE SPACE NOTES (PER SHMC 15.36.080 A):

OWNER SHALL AT ALL TIMES:

1. MAINTAIN AN EFFECTIVE FUEL BREAK BY REMOVING AND CLEARING AWAY ALL FLAMABLE VEGETATION AND COMBUSTIBLE MATERIAL FROM AREAS WITHIN 150 FEET OF BUILDINGS AND STRUCTURES;
2. REMOVE PORTIONS OF TREES WHICH EXTEND WITHIN 10 FEET OF THE OUTLET OF A CHIMNEY;
3. MAINTAIN TREES ADJACENT TO OR OVERHANGING A BUILDING FREE OF DEADWOOD; AND
4. MAINTAIN THE ROOF OF A STRUCTURE FREE OF LEAVES, NEEDLES, OR OTHER DEAD VEGETATIVE GROWTH.
5. REMOVE ALL LIMBS FROM TREES UP TO NO LESS THAN 6 FEET FROM THE GROUND.

**FIRE PROTECTION PLAN**

FOR OFFICIAL USE ONLY

THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN AUTHORIZATION OF THE ENGINEER. THE ENGINEER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS DOCUMENT. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING THE LATEST INFORMATION RELATIVE TO THE PROJECT.

**madrone**  
engineering  
1445 Main Street, Suite 202  
St. Helena, CA 94574  
Tel: 707.302.4580

**FIRE PROTECTION PLANS  
FIRE PROTECTION PLAN**

**FOREMAN VINEYARD**  
1501 BIG ROCK ROAD  
ST. HELENA, CA 94574  
APN: 025-070-029  
PROJECT: 20-031



DATE: 05/22/23  
ISSUE: 001  
FIRE PLAN

SHEET:

C1.0





# WATER AVAILABILITY ANALYSIS

FORMAN VINEYARD  
1501 BIG ROCK RD, ST. HELENA, CA 94574  
APN: 025-070-029

JUNE 14, 2021  
REVISION 1: MAY 26, 2023  
REVISION 2: JULY 26, 2023



PREPARED BY:  
MADRONE ENGINEERING  
1485 MAIN STREET, SUITE 302  
ST. HELENA, CA 94574

20.031  
Forman Vineyard



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20.031  
Forman Vineyard



## I. Introduction & General Overview

### A. Introduction

Madrone Engineering has prepared this report to assist the Forman Vineyard project with compliance with City of St. Helena Water Availability Analysis requirements (SHMC 17.180).

### B. Project Description

Forman Vineyard is requesting a Use Permit Modification to increase wine production for an existing winery on a 20.6 acre parcel located at 1501 Big Rock Rd, St. Helena, by owner and applicant Ric Forman. Existing wine production is approved for 6,000 gallons annually, and is requested to be expanded to 12,000 gallons annually. No other operational changes, on- or off-site improvements are either required or proposed.

Based on the previously-approved marketing plan for the winery, the maximum number of winery staff on-site on any given day is estimated to be four (4) full-time employees. The existing use permit allows up to 10 visitors per day, and no events. There are no changes to the approved marketing plan as part of this request. Other water use on the parcel includes an existing 3-bedroom residence with 2 full-time residents, and vineyard irrigation.

There are two wells available for use on the parcel, and all are shown on the site plan (Appendix B). Based on the criteria in SHMC 17.180, because existing and proposed annual water use is expected to be less than 1 acre-foot/acre/year, the project is required to prepare a Phase 1 Water Availability Analysis.

The main well in use on the parcel is rated at approximately 200 gallons per minute, and is currently limited by the 20HP pump to a maximum of 88 gallons per minute. The total project demand of ~3.7 af/yr would require constant pumping of roughly 2.5 gallons per minute, so the existing well has significantly more capacity than is needed to support the proposed project.

20.031  
Forman Vineyard



## II. Tier 1 Analysis

Tier 1 of the WAA requests the applicant to estimate the proposed water usage for the project, and then compare the estimated parcel usage for the property to the applicable water use criteria. In this case, the threshold for requiring a Tier 2 analysis is if existing or proposed water use will exceed 1 acre-foot/acre/year.

### A. Water Use Guidelines

Appendix B of the Napa County WAA guidelines includes recommendations for determining the estimated water use for specified land uses. A summary of these guidelines, including the values applied in this report, are identified in the table below:

Table 1: Water Use Guidelines per WAA Appendix B

| Use                     | Recommended Water Use Values | Applied Water Use Values | Unit                                     |
|-------------------------|------------------------------|--------------------------|------------------------------------------|
| <b>Residence</b>        | 0.5 to 0.75                  | 0.75                     | AF per Year                              |
| <b>Winery</b>           |                              |                          |                                          |
| Process Water           | 0.0215                       | 0.0215                   | AF per 1,000 gal Wine Produced per Year  |
| Domestic Water          | 0.005                        | 0.005                    | AF per 1,000 gal Wine Produced per Year  |
| Employees               | 15                           | 15                       | Gallons Per Shift                        |
| Tasting Room Visitation | 3                            | 3                        | Gallons Per Visitor                      |
| Events and Marketing    | 15                           | 15                       | Gallons Per Visitor                      |
| <b>Vineyards</b>        |                              |                          |                                          |
| Irrigation Only         | 0.2 to 0.5                   | 0.3                      | AF per Acre Planted per Year             |
| Heat Protection         | 0.25                         | not used                 | AF per Acre Planted per Year             |
| Frost Protection        | 0.25                         | not used                 | AF per Acre Planted per Year             |
| <b>Landscaping</b>      | -                            | not used                 | landscaping is included in the residence |

### B. Existing Water Usage

The current water uses from all wells on the Forman Vineyard property include the following:

Table 2: Existing Property Uses

| Use                          | Value | Unit                      |
|------------------------------|-------|---------------------------|
| <b>Residence(s)</b>          | 1     | Main Residence            |
| <b>Winery</b>                |       |                           |
| Wine Produced                | 6     | Thousand Gallons per Year |
| Employees (Full + Part Time) | 4     | Employee Shifts per Day   |
| Employees (Full + Part Time) | 1200  | Employee Shifts per Year  |
| Visitors                     | 10    | Visitors per Day          |
| Visitors                     | 3100  | Visitors per Year**       |
| Event Visitors per Year      | 0     | Visitors per Year         |
| <b>Vineyards</b>             |       |                           |
| Acres Planted                | 8.5   | Acres                     |
| Heat Protection              | N/A   |                           |
| Frost Protection             | N/A   |                           |

\*\* Conservatively estimated based on maximum visitation 6 days per week

20.031  
Forman Vineyard



Based on Table 2, the existing water usage of the parcel is estimated as follows:

**Table 3: Existing Water Usage**

|                              |              |                    |
|------------------------------|--------------|--------------------|
| <b>Residence</b>             | 0.75         | AF per Year        |
| <b>Winery</b>                |              |                    |
| Process Water                | 0.129        | AF per Year        |
| Domestic Water + Landscaping | 0.03         | AF per Year        |
| Employees                    | 0.055        | AF per Year        |
| Visitors                     | 0.029        | AF per Year        |
| Event Visitors per Year      | 0.000        | AF per Year        |
| <b>Vineyards</b>             |              |                    |
| Irrigation Only              | 2.55         | AF per Year        |
| Heat Protection              | 0            | AF per Year        |
| Frost Protection             | 0            | AF per Year        |
| <b>Total Water Usage</b>     | <b>3.540</b> | <b>AF per Year</b> |

**C. Proposed Water Usage**

The proposed water uses under this Use Permit Modification for the Forman Vineyard property include the following:

**Table 4: Proposed Property Uses**

| Use                          | Value | Unit                      |
|------------------------------|-------|---------------------------|
| <b>Residence</b>             | 1     | Main Residence            |
| <b>Winery</b>                |       |                           |
| Wine Produced                | 12    | Thousand Gallons per Year |
| Employees (Full + Part Time) | 4     | Employee Shifts per Day   |
| Employees (Full + Part Time) | 1200  | Employee Shifts per Year  |
| Visitors                     | 10    | Visitors Per Day          |
| Visitors                     | 3100  | Visitors Per Year*        |
| Event Visitors               | 0     | Visitors Per Year         |
| <b>Vineyards</b>             |       |                           |
| Acres Planted                | 8.5   | Acres                     |
| Heat Protection              | N/A   |                           |
| Frost Protection             | N/A   |                           |

\*\* Conservatively estimated based on maximum visitation 6 days per week



20.031  
Forman Vineyard



The purpose of the Use Permit Modification is to increase wine production from 6,000 gallons to 12,000 gallons per year.

Based on Table 4, the proposed water usage of the parcel is estimated as follows:

**Table 5: Proposed Water Usage**

|                              |              |                    |
|------------------------------|--------------|--------------------|
| <b>Residence</b>             | 0.75         | AF per Year        |
| <b>Winery</b>                |              |                    |
| Process Water                | 0.258        | AF per Year        |
| Domestic Water + Landscaping | 0.060        | AF per Year        |
| Employees                    | 0.055        | AF per Year        |
| Visitors                     | 0.029        | AF per Year        |
| Event Visitors per Year      | 0.000        | AF per Year        |
| <b>Vineyards</b>             |              |                    |
| Irrigation Only              | 2.55         | AF per Year        |
| Heat Protection              | 0            | AF per Year        |
| Frost Protection             | 0            | AF per Year        |
| <b>Total Water Usage</b>     | <b>3.702</b> | <b>AF per Year</b> |

See Table 6, below, for a summary of the change in water use from the existing condition to the proposed Use Permit condition.

**Table 6: Proposed Increase in Water Usage**

|                             |              |                    |
|-----------------------------|--------------|--------------------|
| Existing Water Usage        | 3.540        | AF per Year        |
| Proposed Water Usage        | 3.702        | AF per Year        |
| <b>Water Usage Increase</b> | <b>0.162</b> | <b>AF per Year</b> |

The proposed project will increase groundwater usage only slightly relative to the existing usage, approximately 5%. Because the parcel is 20.6 acres, the proposed water usage of 3.702 acre-feet is significantly less than 1 acre-foot/acre/year.

### III. Conclusion

This report demonstrates that the proposed project is in compliance with current City Code related to groundwater usage.

20.031  
Forman Vineyard



# APPENDICES

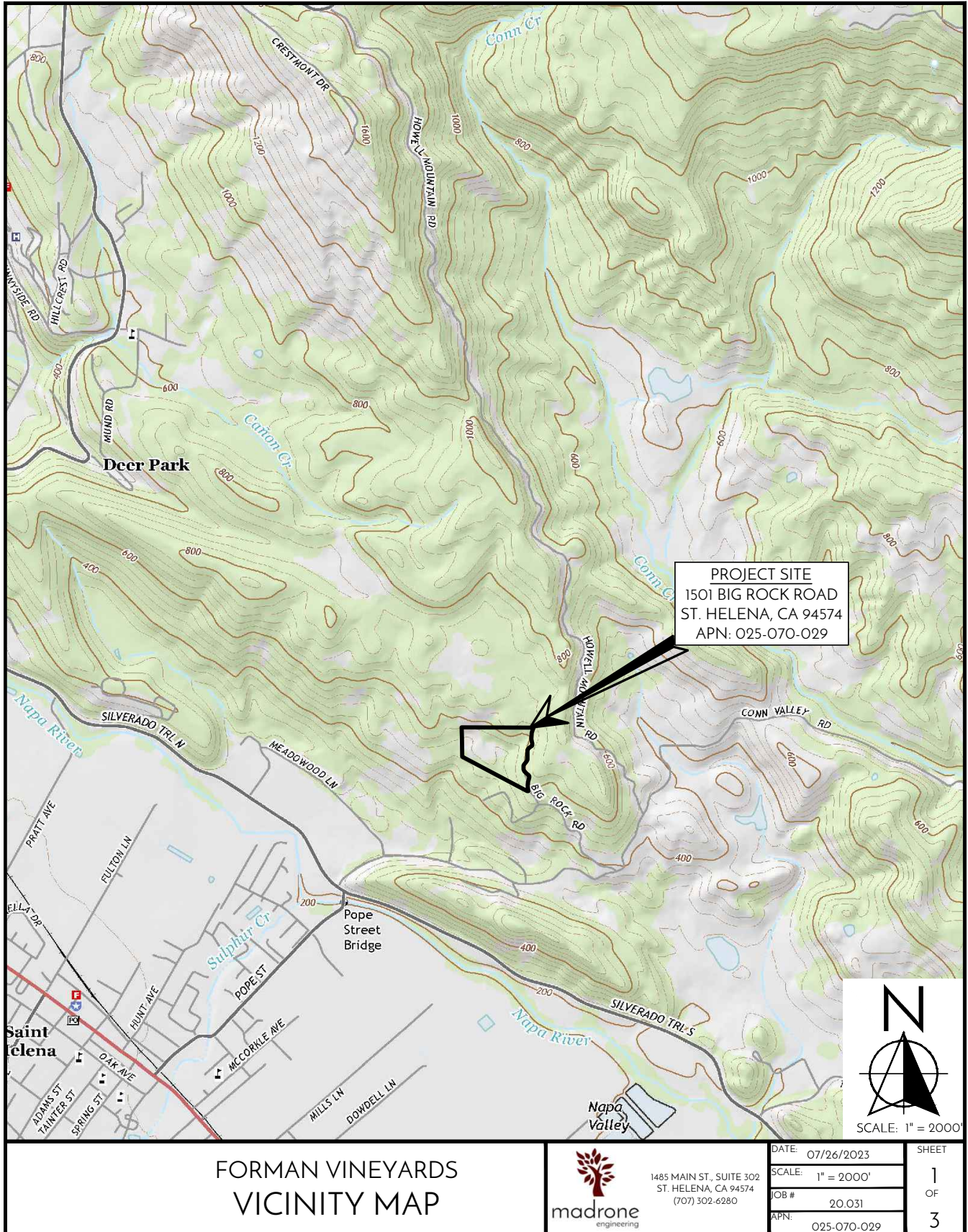
**APPENDIX A:** VICINITY MAP

**APPENDIX B:** SITE PLAN

20.031  
Forman Vineyard



# APPENDIX A VICINITY MAP

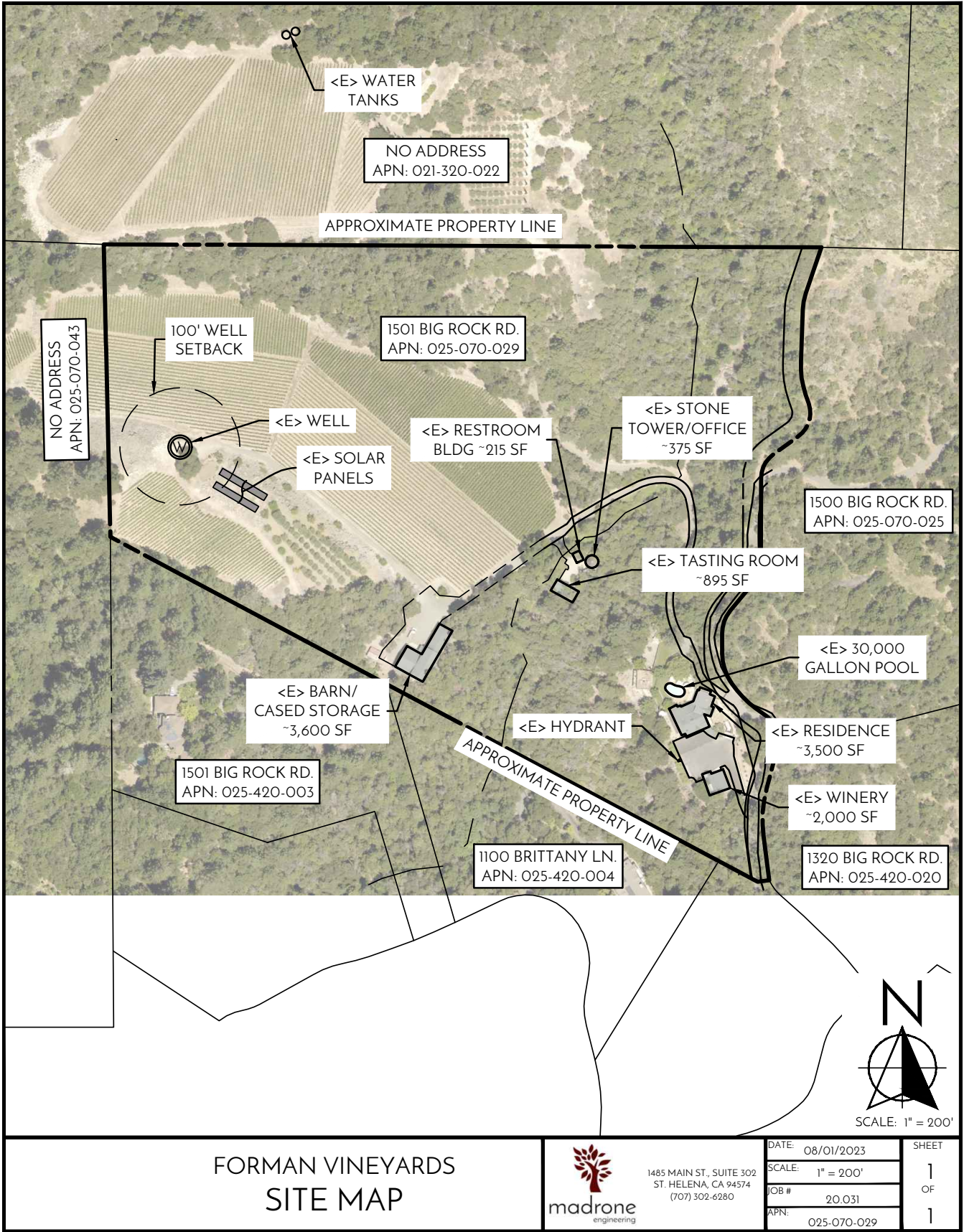


20.031  
Forman Vineyard



# APPENDIX B SITE PLAN





FORMAN VINEYARDS  
SITE MAP



1485 MAIN ST., SUITE 302  
ST. HELENA, CA 94574  
(707) 302-6280

|        |             |
|--------|-------------|
| DATE:  | 08/01/2023  |
| SCALE: | 1" = 200'   |
| JOB #  | 20.031      |
| APN:   | 025-070-029 |

|       |   |
|-------|---|
| SHEET | 1 |
| OF    | 1 |



Revised Project Statement  
Modification to Existing Use Permit  
1501 Big Rock Road  
St. Helena, California

### **Background**

Forman Vineyard is located on an approximate 20.26-acre parcel at 1501 Big Rock Road 2000 feet northeast of its intersection with Howell Mountain Road. The site contains approximately of 9.5 +/- acres of vineyard. Red wine grapes are the predominant varietal grown on the Forman Vineyard.

The existing winery building, storage and crush pad were legally constructed and in compliance with use permit issued in April 1984. This use permit and variance allowed for the construction and operation of a 2,500 case winery on the subject parcel.

On May 18, 2009 the applicant submitted use permit application (2009-22) to legalize use of several winery-related buildings constructed without benefit of proper permits:

- Combination barn and attached equipment shed to be used for storage of vineyard farming equipment (approximately 3,000 s.f. of building area);
- A building to be used for private wine tasting (560 s.f.);
- A restroom for use by employees and winery guest (approximately 150 s.f.); and
- A cave portal to access the winery storage caves (approximately 400 s.f.).

The application also included a proposed 500 s.f. tower for storage of winery equipment.

The City planning commission approved the improvements listed above on August 4, 2009. In addition to granting approval for existing and proposed improvements, private, by appointment winery tasting was permitted in the existing 560 s.f. building. Private tasting are limited to four (4) *days* per week, three (3) appointments per day and no more than 10 persons are permitted to visit the winery on a daily basis. No public events are permitted. Only wine produced on the premises shall be sold at the winery. No change in the level of wine production (2,500 cases annually) approved in 1984 was authorized in 2009.

### **Proposed Modification/Requested Action**

**The applicant is seeking permission to increase annual wine production from 2,500 cases to 4,400 cases annually.** The majority of wine grapes for this production increase will continue to come from on-site vineyards. No other operational changes, on-or off-site improvements are either required or requested to accommodate the increase in production. A completed application was previously submitted.

The project site is located in the A-20 zoning district. Section 17.20.030 (J) allows for small wineries subject to section 17.180 of the city municipal code. The proposed project is consistent with this code section as it involves only an increase in the processing,

fermenting, aging, bottling and storage of wine grapes. No expansion of the approved visitation level granted in 2009 is proposed as part of this application.

No existing agricultural land will be removed from production as a result of this project. The project involves the installation of a new, combined treatment system for both the winery and existing residence (replacement system #01 on the attached plan). The proposed system as shown on the attachments would replace the existing leach field and install the replacement tank in approximately the same footprint such that no additional ag land is impacted.

### **Facts to Support of Required Findings**

The existing winery is served by a private well that provides sufficient water to process the additional galloange required. Use of this on-site water resource minimizes future demands on the city's water supply system. The project minimizes long-term costs to the community by utilizing on-site water and wastewater systems. With the exception of a potential replacement of the existing wastewater system, no other physical changes to the site are required to accommodate the requested increase in production. Inasmuch as any required upgrade to the on-site sewer system will occur on previously disturbed portions of the site, the proposed modification will preserve existing habitat areas. With minimal changes to the site, the project will maintain the ability of the watershed area to absorb and retain rainfall to replenish groundwater and minimize potential for downstream flooding.

Section 17.180.050 establishes development standards such as fruit sources and production limits for small wineries as defined by the City municipal code. Section 17.180.080 (E & F) addresses these two important components of small wineries. The vineyards on the winery parcel (9.5 acres) produce some 42 tons annually (@ 165 gallons/ton = 6,930 gallons produced). The applicant sources grapes from 3 acres of vineyard on the contiguous parcel (012-320-012). Over the last three years production from these three acres is 13.1 tons (yield of 4.38 tons per acre) that upon conversion to gallons yields 2,491 gallons annually. Adding the two tonnage together (55.1 tons) yields a total projected wine production from the winery parcel vineyards and the contiguous parcel of 9,075 gallons.

Section 17.180.080 (E) allows up to 15% of requested gallonage may be derived from imported grapes. In the case of Forman Vineyards this section would allow up to an additional 8.3 tons to be imported (1,364 gallons). **Adding on-site/contiguous grape production together would allow the applicant when approved to produce approximately 10,500 gallons of wine under the small winery program. 10,500 gallons equates to 4400+ cases.**

Prior to approving a permit modification, the following general findings listed in section 17.180.080 are applicable. The following is offered in support of those findings:

- The project is located on a 20+ acre parcel;
- The project site is located on the same site as the applicant's existing residence;

- The existing residence is the primary residence of the winery owner/operator;
- No physical change to the existing winery to accommodate the requested increased in production;
- The increase in production related traffic (grape and related deliveries) results in an additional 3 truck trips over the 4-6 week harvest period. No increase in either employees or visitors is proposed as part of this project;
- The increase in production occurs during the current harvest period. No extension of the pre-project harvest time would occur. Noise associated with the increase in production would be of short term duration and would not adversely affect neighboring properties or uses; and
- Use of on-site water supply and wastewater treatment and disposal options minimizes impacts on city services;
- On-site grapes and those from the adjacent parcel supply the requisite amount of fruit to support the increase in wine production.

Approval of the modification to use permit #2009-22 is request.

Rev 6 23



CITY HALL, 1480 MAIN STREET  
ST. HELENA, CALIFORNIA 94574  
(707) 963-2741

OFFICE OF: City Planner

USE PERMIT AND VARIANCE  
THE CITY OF ST. HELENA  
HEREBY  
GRANTS A USE PERMIT AND VARIANCE  
TO  
RICHARD FORMAN  
1501 BIG ROCK ROAD  
ST. HELENA, CALIFORNIA

Use Permit is to allow a 2500 case per year winery.

Said Variance is to reduce the required distance between an "R" District and a Winery from 500 feet to 125 feet.

At the following location: 1501 Big Rock Road (off Big Rock Road) approximately 2000 feet northeast of Howell Mountain Road).

On Assessor's Parcel Number: 25-070-29 In the A-20 Zoning District, (Twenty-Acre Agricultural District).

Permit shall be in conformance with all City Ordinances, rules, and regulations and policies in effect at time of issuance of Building Permit. The conditions listed below are those particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The City waives the requirement contained in Sec. 16D. 63 that not more than 15% of grapes used in production be imported to the site, except that the amount of such importation shall not exceed that which is required to produce 2500 cases of wine per year less the grapes grown on site.
2. Development shall be in accordance with plans identified as Exhibit A as may be modified or clarified by the following additional requirements:
  - a. The applicant pay a proportionate share of the improvements of Big Rock Road since this project will create additional truck and gondola traffic to and from the project.
  - b. Improve Big Rock Road from Skeoch property to the southerly line of the Landis property with a cul-de-sac (See attached Exhibit C).
  - c. Improve Big Rock Road from Teitsworth property to Forman's property as per the attached sketch. This cost is to be shared on an equal basis with Skeoch.
  - d. Cross culverts to be installed as required.
  - e. Access road widened to a minimum of 16 feet with 2 foot graded shoulder and cleared of any overhead trees, limbs, etc. for a minimum of 14 vertical feet.

- f. Improvements required on conditions 2 a. through 2 d. may be deferred upon approval of a deferred improvement agreement.
- g. To provide either a circle drive at winery or a clear turn around area of a minimum of 25 foot radius.
- h. Provide a minimum of 11,500 gallons gravity feed reservoir to winery through a minimum 2½ inch diameter line at 20 P.S.I. static pressure.
- i. To provide a Fire Department connection consisting of a 2½ inch national hose thread and male outlet mounted two to four feet above ground.
- j. The Fire Department connection shall be located within 150 feet of the winery, but not closer than 30 feet, and shall be within 5 feet of the main road or driveway leading to the winery. The Fire Department connection shall easily be visible from the main road or driveway.
- k. Winery should have non-combustible roof.
- l. Installation of sprinklers on the eave line of structure.

Use Permit, Variance, and Negative Declaration approved by the Planning Commission on April 17, 1984.

Permit and Variance becomes effective on May 2, 1984.

Use Permit and Variance to be void if construction is not commenced by May 2, 1985.



Gary Gouvea  
City Planner

Attachments

GG:cc



**CITY OF ST. HELENA**

**RESOLUTION \_\_\_\_\_**

**ADOPTING A MITIGATED NEGATIVE DECLARATION AND  
MITIGATION MONITORING AND REPORTING PROGRAM FOR  
A GENERAL PLAN AMENDMENT AND REZONING  
FOR 1501 BIG ROCK ROAD, APN 025-070-029**

APPLICANT and PROPERTY OWNER: Richard Forman

**RECITALS**

1. Richard Forman, property owner, requested an Amendment to the General Plan land use designation of Woodlands & Watershed to Agriculture; to amend the narrative description of the Woodlands & Watershed description in the General Plan; and to rezone the property from WW: Woodlands & Watershed to A-20: Twenty Acre Agriculture.
2. The 20.26 acre property is located at 1501 Big Rock Road and is currently developed with a single family residence, a winery, a vineyard, and accessory buildings ancillary to the winery use. Several of the accessory buildings were constructed without building permits and do not comply with the WW zoning regulations.
3. The project components include the following:
  - A General Plan Amendment to change the land use designation from Woodlands and Watershed to Agriculture.
  - A General Plan Text Amendment to change the narrative of the Woodlands and Watershed description to make a specific exception for the Forman property.
  - A rezoning of the property from WW: Woodlands and Watershed to A: 20: Twenty Acre Agriculture.
  - Future Use Permit applications will be made to allow specific use of the agricultural accessory buildings on the property.
4. The proposal was subject to review under the California Environmental Quality Act (CEQA). An Initial Study was prepared on the proposed project and an Environmental Checklist was utilized to focus the Initial Study on the environmental factors that may be impacted or further impacted by implementation of the proposed project. The document was posted for a 20 day review period of April 2 through April 21, 2009.
5. The Planning Commission of the City of St. Helena, State of California, held noticed public hearings for this project on April 7 and April 21, 2009. The Planning Commission recommended City Council approval of a Negative Declaration with regards to CEQA for this

project, with the addition of a conservation easement requirement to mitigation measure number # 2. Motion carried 2-1-2 (McCrea and Katz, yes; Ericson, no; Shott and Philippakis, abstain.

6. The City Council of the City of St. Helena, State of California, held a noticed public hearing for this project on \_\_\_\_\_.

### RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

- A. The project is subject to the California Environmental Quality Act (CEQA) and implementing CEQA Guidelines and certifies a Mitigated Negative Declaration, including the recommended mitigation measures incorporated into the Initial Study and Mitigation Monitoring and Reporting Program (MMRP), as amended by the Planning Commission. The Mitigated Negative Declaration prepared for this project and circulated in compliance with the requirements of CEQA establishes that there will be no significant effect on the environment because revisions to the project in the form of mitigation measures have been adopted.
- B. The Mitigated Negative Declaration, which constitutes the record of proceedings on which the City Council's decision is based, will be kept on file for public review at the City of St. Helena Planning Department.

Approved at a Regular Meeting of the St. Helena City Council on \_\_\_\_\_, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

\_\_\_\_\_  
Delford Britton  
Mayor

\_\_\_\_\_  
Delia Guijosa  
City Clerk

**Mitigation Monitoring & Reporting Program  
Forman General Plan Amendment and Rezoning**

| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Implementing Responsibility      | Monitoring Responsibility        | Monitoring Schedule | Verification |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------|---------------------|--------------|
| <b>Aesthetics</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                  |                                  |                     |              |
| <b>Mitigation Measure 1.</b><br>All exterior lighting shall be low mounted, downward casting and fully shielded. Light fixtures shall not be located at the periphery of the property and shall be located so that light and glare do not spill over onto adjacent properties or into the sky. Flood lights are not permitted and security lighting, if utilized, shall be on motion-sensors. With this mitigation in place, the impact to light and glare is reduced to a <i>less-than-significant</i> level.                                               | Planning and Building Department | Planning and Building Department |                     |              |
| <b>Biological Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |                                  |                     |              |
| <b>Mitigation Measure 2.</b><br>No tree or vegetation removal shall occur on the project site (APN 025-070-029) without use permit approval or prior to CEQA analysis of impacts, including but not limited to impacts on biological and hydrological resources. No earth movement activities shall occur on slopes greater than 30%.<br><br><i>The Planning Commission recommended that this mitigation measure be amended to require that a conservation easement be placed over the property to protect the remaining woodlands and wildlife habitat.</i> | Planning and Building Department | Planning and Building Department |                     |              |
| <b>Geology and Soils</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |                                  |                     |              |
| <b>Mitigation Measure 3.</b><br>As built plans shall be prepared for the illegally constructed restroom, cave portal, family room (utilized as tasting room), and equipment shed and storage barn. Plans shall be submitted to the St. Helena Building Department for plan check. The Building Official shall check the plans and conduct inspections on the buildings. Inspections shall require the uncovering of building materials as necessary to verify that correct construction and engineering practices were adhered to.                           | Planning and Building Department | Planning and Building Department |                     |              |
| <b>Mitigation Measure 4.</b><br>Prior to issuance of building permits and legalization of the buildings, the owner shall obtain permits from the Napa County Environmental Management to legalize or modify the existing septic system, or to remove the existing system, restore the property and construct a new septic system.                                                                                                                                                                                                                            | Planning and Building Department | Planning and Building Department |                     |              |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |                                  |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |                                  |  |  |
| <b>Hazards and Hazardous Materials</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                                  |  |  |
| <b>Mitigation Measure 5.</b><br>The property owner shall submit a hazardous materials plan to the City of St. Helena Fire Marshal and to Napa County Environmental Management, if required, for review and approval prior to issuance of building permits.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Planning and Building Department | Planning and Building Department |  |  |
| <b>Mitigation Measure 6.</b><br>The owner shall submit a Fire Protection Plan to the St. Helena Fire Chief and the St. Helena Fire Marshal. The plan shall consist of a site analysis including topography, fuel analysis, fuel modification, Fire Hazard Severity, climatic conditions, fire history, slope percentages and slope aspects, defensible space and water supply requirements. Prior to issuance of building permits, the Fire Chief shall review the Fire Protection Plan and determine whether additional requirements are needed including, but not limited to a vegetation management plan, additional water supply (including hydrants and standpipes), improved road surfaces and additional turnouts if road slope exceeds standards, special building construction, annual testing of water sources, hydrants and other fire protection equipment, and storage of firewood and other combustible materials. | Planning and Building Department | Planning and Building Department |  |  |
| <b>Land Use and Planning</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |                                  |  |  |
| <b>Mitigation Measure 7.</b><br>The owner/ applicant shall apply for use permits for the use of the buildings in conformance with the City of St. Helena General Plan and zoning ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Planning and Building Department | Planning and Building Department |  |  |
| <b>Noise</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |                                  |  |  |
| <b>Mitigation Measure 8.</b><br>The builder shall submit manufacturer information pertaining to the noise generation of any mechanical equipment that is proposed to be located on the exterior of the structures. The information will help the building official determine whether the ambient noise level at any property line will be increased by more than 5 dba. If it is determined that the noise level will be increased by more than this amount, appropriate measures shall be imposed to reduce the increase in the ambient noise level to less than 5 dba. These measures could include replacement, relocation, removal or shielding of the equipment.                                                                                                                                                                                                                                                            | Planning and Building Department | Planning and Building Department |  |  |

| Transportation / Traffic                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                  |                                  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------|--|--|
| <b>Mitigation Measure 9.</b><br>At the time of review of application to utilize the buildings, the owner shall submit information for analysis of the number and frequency of vehicle trips, the types of vehicles, and the adequacy of Howell Mountain Road and Big Rock Road to accommodate the traffic. The Planning Commission shall use this information to determine whether conditions of approval are necessary to mitigate traffic impacts and whether the appropriate findings required by Municipal Code Section 17.168.050, "That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use", can be made. | Planning and Building Department | Planning and Building Department |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                  |                                  |  |  |



**CITY OF ST. HELENA**

**ORDINANCE NO. \_\_\_\_\_**

**APPROVING ZONING MAP AMENDMENT TO CHANGE THE  
ZONING DESIGNATION OF PROPERTY LOCATED AT  
1501 BIG ROCK ROAD, APN 025-070-029  
FROM WW: WOODLANDS AND WATERSHED  
TO A-20: TWENTY ACRE AGRICULTURE**

The City Council of the City of St. Helena does ordain as follows:

**Section 1.**

1. Richard Forman, property owner, requested an Amendment to the General Plan land use designation of Woodlands & Watershed to Agriculture; to amend the narrative description of the Woodlands & Watershed description in the General Plan; and to rezone the property from WW: Woodlands & Watershed to A-20: Twenty Acre Agriculture.
2. The 20.26 acre property is located at 1501 Big Rock Road and is currently developed with a single family residence, a winery, a vineyard, and accessory buildings ancillary to the winery use. Several of the accessory buildings were constructed without building permits and do not comply with the WW: Woodlands and Watershed zoning regulations.
3. The project components included the following:
  - A General Plan Map Amendment to change the land use designation from Woodlands and Watershed to Agriculture.
  - A General Plan Text Amendment to change the narrative of the Woodlands and Watershed description to make a specific exception for the Forman property.
  - A rezoning of the property from WW: Woodlands and Watershed to A: 20: Twenty Acre Agriculture.
  - Future Use Permit applications will be made to allow specific use of the agricultural accessory buildings on the property.
4. The proposal was subject to review under the California Environmental Quality Act (CEQA). An Initial Study was prepared on the proposed project and an Environmental Checklist was utilized to focus the Initial Study on the environmental factors that may be impacted or further impacted by implementation of the proposed project. The document was posted for a 20 day review period of April 2 through April 21, 2009.
5. The Planning Commission of the City of St. Helena, State of California, held noticed public hearings on the applicant's proposal on April 7 and April 21, 2009, reviewing the public record, including all application submittal materials, letters submitted

regarding the proposal and staff reports, opening a public hearing to receive testimony from the applicant and interested persons, and deliberating on the project before making its recommendation to the City Council to approve the project with the recommended conditions and mitigation measures.

6. The City Council held a noticed public hearing on the requested General Plan Map Amendment, General Plan Text Amendment and Rezoning on \_\_\_\_\_.
7. The City Council introduced and waived first reading of the change of the Zoning Ordinance Map Amendment from WW: Woodlands and Watershed to A-20: Twenty Acre Agriculture on \_\_\_\_\_, 2009.
8. The City Council held second reading and approved the Ordinance on \_\_\_\_\_, 2009.

**Section 2.**

- A. The City Council determined that the project was subject to CEQA and adopted a Mitigated Negative Declaration, including the recommended Mitigation Measures contained in the Mitigation Monitoring and Reporting Program (MMRP). The Mitigated Negative Declaration prepared for this project and circulated in compliance with the requirements of CEQA established that although the proposed project would not have a significant effect on the environment because revisions to the project in the form of mitigation measures have been adopted.
- B. Pursuant to Municipal Code Section 17.12.110, the City Council has taken into consideration the consistency of the proposed amendment with the goals, policies and programs of the General Plan and other existing City policies.
- C. The City Council finds that the A-20: Twenty Acre Agriculture zoning is more appropriate for the Forman property located at 1501 Big Rock Road, APN 025-070-029 because it is consistent with the existing and historical agricultural use of the property.

**Section 3.**

The City Council hereby amends the Zoning Map to change the zoning designation of APN 025-070-029 located at 1501 Big Rock Road, from WW: Woodlands and Watershed to A-20: Twenty-Acre Agriculture.

The foregoing Zoning Map Amendment was passed and adopted at a regular meeting of the City Council of the City of St. Helena, State of California, held on \_\_\_\_\_, 2009.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

ATTEST:

---

Delford Britton  
Mayor

---

Delia Guijosa  
City Clerk

**NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT  
TO ADOPT A NEGATIVE DECLARATION**

**Project Title:** Forman General Plan Amendment and Rezoning  
**Project Address:** 1501 Big Rock Road, St. Helena, CA 94574  
**APN:** 025-070-029  
**Project Number:** 2008-55  
**Applicant:** Richard Forman  
 1501 Big Rock Road  
 St. Helena, CA 94574

**POSTED**  
 RECEIVED 4-2-09 BY: NT  
 COMPLETED. BY: \_\_\_\_\_  
 NAPA COUNTY CLERK

**Project Description:**

This project consists of a request to amend the General Plan land use designation of a 20.26 acre property located at 1501 Big Rock Road and owned by Richard Forman, from Woodlands & Watershed to Agriculture; to amend the narrative description of the Woodlands & Watershed description in the General Plan; and to rezone the property from WW: Woodlands & Watershed to A-20: Twenty Acre Agriculture.

The property is currently developed with a single family residence, a winery, a vineyard, and accessory buildings ancillary to the winery use. Several of the accessory buildings were constructed without building permits and do not comply with the WW zoning regulations. If the change to an Agriculture land use designation is approved, Use Permits will also be required for the approval of several of the agriculture related structures.

Potential environmental impacts were identified in the areas of:

- Agricultural Resources
- Biological Resources
- Land Use and Planning

The Public Hearings for this project will be opened by the Planning Commission of the City of St. Helena on April 7, 2009 at 7:00 p.m. in the Vintage Hall Board Room, 2<sup>nd</sup> floor, 465 Main Street.

The Initial Study will be available for public review at the City of St. Helena Planning Department beginning on Thursday, April 2, 2009 and the public is invited to submit written comments regarding the environmental findings and Mitigated Negative Declaration determination. The 20 day comment period on the project is open from April 2, 2009 to April 21, 2009. Comments may be submitted to the Planning Department in writing or presented verbally at the noticed public hearings on April 7, 2009 and April 21, 2009. A third public hearing will be scheduled before the City Council after the Planning Commission has taken action.

  
 Carol Poole, AICP, Planning Director

1T: (04/02/09)  
 1. St. Helena Star (03/27/09)

P.O. # 9095

c: Doug Ernst (via email)  
 Jesse Duarte (via email)

# ENVIRONMENTAL CHECKLIST/INITIAL STUDY

1. **Project Title:** FORMAN GENERAL PLAN AMENDMENT AND REZONING

2. **Lead Agency Name and Address:** City of St. Helena  
Planning Department  
1480 Main Street  
St. Helena, CA 94574  
(707) 967-2792

3. **Contact Person and Phone Number:** Carol Poole, Planning Director  
707-967-2792

4. **Project Location:** 1501 Big Rock Road  
St. Helena, CA 94574  
(APN 025-070-029)

5. **Project Sponsor's Name and Address:** Richard Forman  
1501 Big Rock Road  
ST. Helena, CA 94574

6. **Existing General Plan Designation:** Woodlands and Watershed  
**Proposed General Plan Designation:** Agriculture

7. **Existing Zoning Designation:** WW: Woodlands & Watershed  
**Proposed Zoning Designation:** A-20: Twenty Acre Agriculture

## 8. **Description of the Project:**

The project consists of a request to amend the General Plan designation of a 20.26 acre property located at 1501 Big Rock Road and owned by Richard Forman, from Woodlands & Watershed to Agriculture; to amend the narrative description of the Woodlands & Watershed description in the General Plan; and to rezone the property from WW: Woodlands & Watershed to A-20: Twenty Acre Agriculture.

The property is currently developed with a single family residence, a winery, a vineyard, and accessory buildings ancillary to the winery use. Several of the accessory buildings were constructed without building permits and do not comply with the WW zoning regulations. If the change to an Agriculture land use designation is approved, Use Permits will also be needed for the approval of uses in several of the agriculture related structures.

The following structures were constructed without city approvals:

|                                          |         |
|------------------------------------------|---------|
| Restroom                                 | 156 sf  |
| Cave portal (not including the cave)     | 406 sf  |
| Family room (utilized as a tasting room) | 560 sf  |
| Equipment shed and storage barn          | 3199 sf |
| TOTAL                                    | 4321 sf |



**9. Surrounding Land Uses and Setting:**

The project site is located in the eastern hills of the incorporated portion of St. Helena. The site address is 1501 Big Rock Road (APN 025-070-029). The 20.26 acre property is developed with a vineyard on a gently sloping portion of the land and a winery, residence, gardens and woodlands on the more steeply sloping portions. Surrounding properties are predominantly residential estates on sloping woodland and forest property.

**10. Other public agencies whose approval is required:**

- Approval of Mitigated Negative Declaration (City of St. Helena)
- Approval of General Plan Amendment (City of St. Helena)
- Approval of Rezoning (City of St. Helena)
- Future Approval of Use Permits (City of St. Helena)
- Building and grading permits (City of St. Helena)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below( ■ ) would be potentially affected by this project, but have been mitigated to a level of less than significant, as indicated by the checklist on the following pages.

|   |                        |   |                               |   |                                    |
|---|------------------------|---|-------------------------------|---|------------------------------------|
| X | Aesthetics             | X | Hazards & Hazardous Materials | X | Public Services                    |
|   | Agricultural Resources | X | Hydrology/Water Quality       |   | Recreation                         |
|   | Air Quality            | X | Land Use/Planning             | X | Transportation/Traffic             |
| X | Biological Resources   |   | Mineral Resources             |   | Utilities/Service Systems          |
|   | Cultural Resources     | X | Noise                         |   | Mandatory Findings of Significance |
| X | Geology/Soils          |   | Population/Housing            |   |                                    |

**DETERMINATION:**

On the basis of this initial evaluation:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.                                                                                                                                                                                                                                                                                                                                                                      |  |
| I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.                                                                                                                                                                                                             |  |
| I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.                                                                                                                                                                                                                                                                                                                                                                         |  |
| I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |  |
| I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.                                               |  |

   
Signature Date

Carol Poole, City of St. Helena Director of Planning and Building

## EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - (a) Earlier Analysis Used. Identify and state where they are available for review.
  - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 1) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 2) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 3) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 4) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.



| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

|                                                                                                                                                                |  |   |   |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|---|---|
| <b>1. AESTHETICS. Would the project:</b>                                                                                                                       |  |   |   |   |
| <i>a) Have a substantial adverse effect on a scenic vista?</i>                                                                                                 |  |   |   | X |
| <i>b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?</i> |  |   |   | X |
| <i>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</i>                                                     |  |   | X |   |
| <i>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</i>                                   |  | X |   |   |

**Discussion:**

**1. Aesthetics**

The project is located on the eastern hills of the incorporated area of St. Helena. The woodland vegetation of the site is visible from the valley floor, but the existing vineyard and winery are not. The legal permitted winery structures are visible from Big Rock Road; but the illegally constructed buildings are not visible from the road. These structures are located in close proximity to a vineyard that is developed on a low portion of the property. The large storage barn (3,199 sq. ft.) is visible from adjoining property located to the southwest.

**Standards of Significance**

The following standards of significance are used to assess potential environmental impacts related to view obstruction, aesthetics, and light and glare.

- Be incompatible with the scale or visual character of the surrounding area;
- Eliminate or substantially alter significant visual features, view corridors or public vista points;
- Result in substantial alteration of natural landforms; and
- Create significant new sources of light and glare in the project vicinity.

**Project Impacts**

Exterior light from the storage barn could create a significant source of light and glare that could affect property to the southwest. The following mitigation measure is proposed to reduce light impacts to a less than significant level:

**Mitigation Measure 1.**

All exterior lighting shall be low mounted, downward casting and fully shielded. Light fixtures shall not be located at the periphery of the property and shall be located so that light and glare do not spill over onto adjacent properties or into the sky. Flood lights are not permitted and security lighting, if utilized, shall be on motion-sensors. With this mitigation in place, the impact to light and glare is reduced to a *less-than-significant* level.

**2. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

**Would the project:**

|                                                                                                                                                                                                                                                     |  |  |  |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| <i>a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?</i> |  |  |  | X |
| <i>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</i>                                                                                                                                                         |  |  |  | X |

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

|                                                                                                                                                                     |  |  |  |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| c) <i>Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?</i> |  |  |  | X |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|

Discussion:

**2. Agricultural Resources**

The project site has a General Plan designation of Woodlands and Watershed. This designation has been applied to the mountainous areas of the City and has three important goals:

- To allow limited residential development of hillside areas commensurate with the availability of community services and public utilities.
- To encourage estate type development in hilly areas which are not suitable for agricultural use rather than the continued subdivision of prime vineyard lands.
- To preserve the wildlife, vegetation and open space characteristics of the area.

Standards of Significance

A significant impact would include:

- Convert prime farmland, unique farmland or farmland of state-wide importance to non-farming land uses;
- Conflict with agricultural uses, zoning designations or a Williamson Act contract; or
- Otherwise convert farmland to a non-farmland use.

A General Plan Amendment is requested to change the land use designation to Agriculture, and a rezoning to designate the property to A-20: Twenty Acre Agriculture. The land use change would be compatible with the existing vineyard and the illegally constructed buildings.

Project Impacts

- a-c) *Convert prime farmland to a non-agricultural use, conflict with a Williamson Act Contract, or involve other changes that could result in conversion of farmland to a non-agricultural use?* *NI.* The project site is designated as "other" lands as depicted on the Napa County Important Farmlands Map (2004). Other lands include brush, timber, wetlands and riparian areas, and water bodies smaller than 40 acres. The project site is not designated as prime farmlands, no Williamson Act Land Conservation Agreements exist on the project site, and the proposed subdivision does not result in conversion of farmland to a non-agricultural use.

Conclusion:

The proposed project will result in **no impact** on agricultural resources, and therefore no mitigations are required.

**3. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:**

|                                                                                                                                                                                                                                                                                                    |  |  |  |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| a) <i>Conflict with or obstruct implementation of the applicable air quality plan?</i>                                                                                                                                                                                                             |  |  |  | X |
| b) <i>Violate any air quality standard or contribute substantially to an existing or projected air quality violation.</i>                                                                                                                                                                          |  |  |  | X |
| c) <i>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</i> |  |  |  | X |
| d) <i>Expose sensitive receptors to substantial pollutant concentrations?</i>                                                                                                                                                                                                                      |  |  |  | X |
| e) <i>Create objectionable odors affecting a substantial number of people?</i>                                                                                                                                                                                                                     |  |  |  | X |



| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

**Discussion:**

**3. Air Quality**

A project will normally have a significant environmental effect if it will violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The City of St. Helena is located within the greater San Francisco Bay Area air basin. The Bay Area Air Quality Management District (BAAQMD) is responsible for administering provisions of federal and State clean air requirements, which include ongoing monitoring, enforcement and policy and program development within the region. Pursuant to the BAAQMD Guidelines, total emissions that exceed the daily thresholds of significance shall be considered to have a potentially significant impact. The threshold of significance is defined as 80 lbs/day of Reactive Organic Gases (ROG), 80 lbs/day of Nitrogen Oxides (NO<sub>x</sub>), and 80 lbs/day of Small Particulate Matter (PM<sub>10</sub>). Concern for regional air quality effects are addressed by monitoring these ROG. One of the pollutants of greatest concern is carbon monoxide, which can be elevated as a result of increased levels of traffic and congestion along streets and at intersections associated with a proposed project.

This project does not authorize any new development on the property. The existing baseline of emissions will remain unchanged from that of the existing development; although the approval of the land use designations will legalize the existing development.

*Global Warming Issues -*

There is substantial evidence that the heat-trapping properties of greenhouse gases (carbon dioxide, methane and nitrous oxide) have contributed to a warming of the Earth's temperature by about 1 degree in the past two decades and that most of the warming is due to human activities; activities that can be altered to result in a dramatic reduction in the production of these gases. The California Air Resources Board is developing standards to analyze and determine the level of significance of development projects on global climate change, but such standards have not yet been adopted.

Buildings that are designed to meet LEED, Build It Green, or other green certification incorporate materials, systems and practices will lessen environmental impacts. Re-use of existing structures is usually a greener practice than the construction of new structures because the embedded energy within the building is retained. Fewer building materials are consumed in re-use than in new construction; and energy is saved because newly manufactured products are not used and shipped to the construction site.

The re-use of the structures was a major consideration in the determination of how to approach the code enforcement aspects of this project and was one of the reasons that the City Council agreed to support legalization of the buildings that were constructed without building permits. A significant amount of building material would be destroyed and sent to the landfill if demolition of the structures were required. Demolition would also require the use of heavy construction equipment to remove the materials.

Overall, the impacts on air quality and global warming are reduced by allowing the buildings to remain in place than by requiring them to be demolished.

For these reasons, there is *no impact* anticipated as this project's contribution to global climate change.

**4. BIOLOGICAL RESOURCES. Would the project:**

|                                                                                                                                                                                                                                                                                                                          |  |   |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|
| <i>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?</i> |  | X |  |  |
| <i>b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?</i>                                                                      |  | X |  |  |
| <i>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</i>                                              |  | X |  |  |

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

|                                                                                                                                                                                                                                 |  |   |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|
| <i>d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?</i> |  | X |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|

|                                                                                                                                            |  |   |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|
| <i>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</i> |  | X |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|

|                                                                                                                                                                                          |  |  |  |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| <i>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?</i> |  |  |  | X |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|

The manmade environment on the project property includes a residence, winery, accessory agricultural buildings, gardens and vineyard. The balance of the property remains as woodland habitat.

The goals of the current General Plan designation of Woodlands and Watershed include minimizing the potential for erosion and land movement in steeply sloping areas; maintaining or enhancing the natural ability of watershed areas to absorb and retain rainfall (both for replenishment of groundwater and moderation of downstream flooding) and the preservation of wildlife habitat. To implement these goals, the WW: Woodlands and Watershed regulations require approval of a use permit for agriculture or commercial agriculture. Therefore, environmental analysis pursuant to CEQA is required prior to removal of vegetation for vineyard development or for other agricultural uses. Within the WW zoning district, vegetation removal is only allowed under limited circumstances, primarily for compliance with fire safety standards. Earth movement activities are prohibited on slopes of 30% or greater and are allowed elsewhere provided there are no significant impacts on erosion, wildlife habitat and visual character.

The primary goal of the General Plan Agriculture designation is to provide for agricultural uses. The rezoning of the property to A-20: Twenty Acre Agriculture could result in significant impacts to wildlife habitat, corridors and nurseries. The A-20 zoning regulations allow the following as permitted (ministerial) uses that are not subject to CEQA. Under existing A-20 regulations, environmental analysis and mitigation of impacts would not be required for:

- Cultivated agriculture including farming, pasturage, horticulture, floriculture and viticulture; retail sales area in excess of two hundred (200) square feet regulated by use permit;
- Animal husbandry and livestock farming.

This means that it is possible for the remaining land to be developed to vineyard with minimal review of environmental impacts.

#### **Project Impacts**

A change in land use designation from WW: Woodlands and Watershed to A-20: Twenty Acre Agriculture would result in a relaxation of regulations pertaining to development of agricultural uses on the property and could result in significant loss of remaining wildlife habitat and special species.

#### **Mitigation Measure 2.**

No tree or vegetation removal shall occur on the project site (APN 025-070-029) without use permit approval or prior to CEQA analysis of impacts, including but not limited to impacts on biological and hydrological resources. No earth movement activities shall occur on slopes greater than 30%.

With this mitigation in place, the impact to biological resources is reduced to a *less-than-significant* level.

#### **5. CULTURAL RESOURCES. Would the project:**

|                                                                                                                              |  |  |  |   |
|------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| <i>a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?</i>     |  |  |  | X |
| <i>b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?</i> |  |  |  | X |
| <i>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</i>               |  |  |  | X |
| <i>d) Disturb any human remains, including those interred outside of formal cemeteries?</i>                                  |  |  |  | X |



| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

There are no known historical, archaeological or paleontological resources on the property, and therefore there is *no impact* to Cultural Resources.

**6. GEOLOGY AND SOILS. Would the project:**

**a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

|                                                                                                                                                                                                                                                                                         |  |   |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|
| (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. |  | X |  |  |
| (ii) Strong seismic ground shaking?                                                                                                                                                                                                                                                     |  | X |  |  |
| (iii) Seismic-related ground failure, including liquefaction?                                                                                                                                                                                                                           |  | X |  |  |

All of the San Francisco Bay region, including the City of St. Helena, is located in one of the most seismically active regions in the world. Construction of new buildings and other improvements are subject to damage from moderate to severe seismic action, including seismic-related ground failure.

**Project Impacts**

The illegal buildings were constructed without engineering plan check or building official inspections. All buildings are subject to adherence to the Uniform Building Code. The City of St. Helena Building Official has conducted preliminary inspections to ascertain whether significant code violations are present. As-built construction plans are being prepared and will be plan checked against the building code. Inspections will require that certain portions of the building be uncovered to verify that construction and engineering practices were adhered to.

**Mitigation Measure 3.**

As built plans shall be prepared for the illegally constructed restroom, cave portal, family room (utilized as tasting room), and equipment shed and storage barn. Plans shall be submitted to the St. Helena Building Department for plan check. The Building Official shall check the plans and conduct inspections on the buildings. Inspections shall require the uncovering of building materials as necessary to verify that correct construction and engineering practices were adhered to.

The permitting and inspection process will insure that seismic requirements have been incorporated into the structure and this will reduce seismic impacts to a *less-than-significant* level.

|                                                                                                                                                                                                                                     |  |   |  |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|---|
| (b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                      |  |   |  | X |
| (c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? |  | X |  |   |
| (d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?                                                                                   |  | X |  |   |
| (e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?                                               |  | X |  |   |

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

The permitting and inspection process, as required in Mitigation Measure 3, will verify that soils are suitable for the type of construction that was utilized.

The restroom and family/tasting room structures have plumbing fixtures. A septic system was used for greywater and waste disposal. Permitting and approval of the septic system is under the authority of Napa County Environmental Management. The owner/applicant has prepared septic plans and had preliminary discussions with Napa County Environmental Management.

#### Project Impacts

The illegally constructed septic system may have been constructed in a location that does not have adequate soils, or that could impact a stream that is located on the site.

#### Mitigation Measure 4.

Prior to issuance of building permits and legalization of the buildings, the owner shall obtain permits from the Napa County Environmental Management to legalize or modify the existing septic system, or to remove the existing system, restore the property and construct a new septic system.

The permitting and inspection process conducted by Napa County Environmental Management will verify that soils are suitable for wastewater disposal and will reduce impacts to a *less-than-significant* level.

#### 7. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

|                                                                                                                                                                                                                                                                                                                                     |  |   |  |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|---|
| <i>a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?</i>                                                                                                                                                                                       |  | X |  |   |
| <i>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?</i>                                                                                                                       |  | X |  |   |
| <i>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</i>                                                                                                                                                              |  |   |  | X |
| <i>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?</i>                                                                                                |  |   |  | X |
| <i>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</i> |  |   |  | X |
| <i>g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?</i>                                                                                                                                                                                                   |  |   |  | X |
| <i>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</i>                                                                                                         |  | X |  |   |



| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

The site is not within one-quarter mile of an existing or proposed school, nor is it included on a list of hazardous materials sites. The site is not within two miles of an airstrip. The illegal structures do not interfere with an adopted emergency response plan or emergency evacuation plan.

#### Project Impacts

Vineyard maintenance operations may involve the use of hazardous materials including fuel for vehicles and equipment, or herbicides and pesticides for maintenance. Proper use and storage of hazardous materials will reduce the risk.

#### Mitigation Measure 5.

The property owner shall submit a hazardous materials plan to the City of St. Helena Fire Marshal and to Napa County Environmental Management, if required, for review and approval prior to issuance of building permits.

#### Project Impacts

The property is located in an area that is considered at high risk to wildland fires. Proper construction techniques and vegetation management techniques will reduce the risk.

#### Mitigation Measure 6.

The owner shall submit a Fire Protection Plan to the St. Helena Fire Chief and the St. Helena Fire Marshal. The plan shall consist of a site analysis including topography, fuel analysis, fuel modification, Fire Hazard Severity, climatic conditions, fire history, slope percentages and slope aspects, defensible space and water supply requirements. Prior to issuance of building permits, the Fire Chief shall review the Fire Protection Plan and determine whether additional requirements are needed including, but not limited to a vegetation management plan, additional water supply (including hydrants and standpipes), improved road surfaces and additional turnouts if road slope exceeds standards, special building construction, annual testing of water sources, hydrants and other fire protection equipment, and storage of firewood and other combustible materials.

Compliance with Mitigation Measures 5 and 6 will reduce impacts on Hazards and Hazardous Materials to a *less-than-significant* level.

|                                                                                                                                                                                                                                                                                                                                                                                                      |  |   |   |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|---|---|
| <b>8. HYDROLOGY AND WATER QUALITY. Would the project:</b>                                                                                                                                                                                                                                                                                                                                            |  |   |   |   |
| <i>a) Violate any water quality standards or waste discharge requirements?</i>                                                                                                                                                                                                                                                                                                                       |  |   | X |   |
| <i>b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</i> |  | X |   |   |
| <i>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</i>                                                                                                                                                            |  |   |   | X |
| <i>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on or off-site?</i>                                                                                                                                |  |   |   | X |
| <i>e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</i>                                                                                                                                                                                                               |  |   |   |   |
| <i>f) Otherwise substantially degrade water quality?</i>                                                                                                                                                                                                                                                                                                                                             |  | X |   |   |



| Issues and Supporting Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <i>g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                |                                                    |                              | X         |
| <i>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |                                                    |                              | X         |
| <i>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |                                                    |                              | X         |
| <i>j) Inundation by seiche, tsunami, or mudflow?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |                                                    |                              | X         |
| <p>The project is not located within a 100 year flood hazard area, nor is it susceptible to inundation by seiche, tsunami, or mudflow.</p> <p>The project does not include the construction of a new well. The existing well was permitted by Napa County Environmental Management. The permitting process undertaken by Napa County includes consideration of the impacts that the new well may have on groundwater supplies.</p> <p>The project does not include the development of new vineyard or significant clearing of property that would contribute to runoff. Compliance with Mitigation Measure 2, (No tree or vegetation removal shall occur on the project site (APN 025-070-029) without use permit approval or prior to CEQA analysis of impacts, including but not limited to impacts on biological and hydrological resources. No earth movement activities shall occur on slopes greater than 30%. ) will reduce hydrological impacts of future site development to a <i>less-than-significant</i> level.</p> <p>Impacts on water quality will be reviewed during the Napa County Environmental Management permitting process for the septic system. Compliance with Mitigation Measure 4, (Prior to issuance of building permits and legalization of the buildings, the owner shall obtain permits from the Napa County Environmental Management to legalize or modify the existing septic system, or to remove the existing system, restore the property and construct a new septic system) will reduce Hydrology and Water Quality impacts to a <i>less-than-significant</i> level.</p> |                                |                                                    |                              |           |
| <b>9. LAND USE AND PLANNING. Would the project:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                |                                                    |                              |           |
| <i>a) Physically divide an established community?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                |                                                    |                              | X         |
| <i>b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                | X                                                  |                              |           |
| <i>c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |                                                    |                              | X         |

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

The purpose of the project is to bring the illegal construction into conformity with the City of St. Helena General Plan and zoning code. The project does not physically divide an established community. No habitat conservation plan or natural communities conservation plan has been adopted for the site.

#### Project Impacts

If the proposed General Plan Amendment and Rezoning are not approved, the buildings will remain as non-conforming. If the General Plan Amendment and Rezoning are approved, Use Permits will be required to authorize use of the buildings in conformance with the code.

#### Mitigation Measure 7.

The owner/ applicant shall apply for use permits for the use of the buildings in conformance with the City of St. Helena General Plan and zoning ordinance.

Compliance with this Mitigation Measure will reduce Land Use Planning impacts to a *less-than-significant* level.

#### 10. MINERAL RESOURCES. Would the project:

|                                                                                                                                        |  |  |  |   |
|----------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? |  |  |  | X |
|----------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|

|                                                                                                                                                                       |  |  |  |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |  |  |  | X |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|

No known mineral resources are located on the property; therefore *no impact* to Mineral Resources is anticipated.

#### 11. NOISE. Would the project result in:

|                                                                                                                                                                                     |  |  |   |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? |  |  | X |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|

|                                                                                                         |  |  |  |   |
|---------------------------------------------------------------------------------------------------------|--|--|--|---|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? |  |  |  | X |
|---------------------------------------------------------------------------------------------------------|--|--|--|---|

|                                                                                                                                |  |   |  |  |
|--------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? |  | X |  |  |
|--------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|

|                                                                                                                                              |  |  |   |  |
|----------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|
| d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? |  |  | X |  |
|----------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|

|                                                                                                                                                                                                                                                                                                                                  |  |  |  |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? |  |  |  | X |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

The project does not involve uses that generate groundborne vibration or groundborne noise levels. The project site is not within two miles of an airport.

**Project Impacts**

The 3,199 sq. ft. equipment shed and storage barn is located in close proximity to the property line. Use of the building for wine or agricultural product storage could require a cooling system, which could result in a change to the ambient noise level. The building permit process requires information on noise generating equipment prior to the permitting of mechanical systems.

**Mitigation Measure 8.**

The builder shall submit manufacturer information pertaining to the noise generation of any mechanical equipment that is proposed to be located on the exterior of the structures. The information will help the building official determine whether the ambient noise level at any property line will be increased by more than 5 dba. If it is determined that the noise level will be increased by more than this amount, appropriate measures shall be imposed to reduce the increase in the ambient noise level to less than 5 dba. These measures could include replacement, relocation, removal or shielding of the equipment.

Compliance with this Mitigation Measure will reduce Noise impacts to a *less-than-significant* level.

**12. POPULATION AND HOUSING. Would the project:**

|                                                                                                                                                                                                           |  |  |  |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? |  |  |  | X |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?                                                                                     |  |  |  | X |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?                                                                                               |  |  |  | X |

The project, which consists of the legalization of agricultural accessory buildings, does not affect population growth or displace housing or people. There is *no impact* on Population and Housing.

**13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

|                             |  |   |  |   |
|-----------------------------|--|---|--|---|
| a) Fire protection?         |  | X |  |   |
| b) Police protection?       |  |   |  | X |
| c) Schools?                 |  |   |  | X |
| d) Parks?                   |  |   |  | X |
| e) Other public facilities? |  |   |  | X |



| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

The project does not result in additional population or housing that would need public services including police protection, schools, parks or other public facilities. The structures will require fire protection.

#### Project Impacts

The property is located in an area that is considered at high risk to wildland fires and may impact the services of the Fire Department. Adherence to Mitigation Measure 6 (The owner shall submit a Fire Protection Plan to the St. Helena Fire Chief and the St. Helena Fire Marshal. The plan shall consist of a site analysis including topography, fuel analysis, fuel modification, Fire Hazard Severity, climatic conditions, fire history, slope percentages and slope aspects, defensible space and water supply requirements. Prior to issuance of building permits, the Fire Chief shall review the Fire Protection Plan and determine whether additional requirements are needed including, but not limited to a vegetation management plan, additional water supply (including hydrants and standpipes), improved road surfaces and additional turnouts if road slope exceeds standards, special building construction, annual testing of water sources, hydrants and other fire protection equipment, and storage of firewood and other combustible materials) will reduce impacts on Public Services to a *less-than-significant* level.

#### 14. RECREATION.

a) *Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

X

X

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

X

The project does not result in additional population or housing that would result in the need for additional parks or recreational facilities. There is *no impact* on Recreation.

#### 15. TRANSPORTATION/TRAFFIC. Would the project:

a) *Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

X

X

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*

X

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

X

d) *Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*

X

e) *Result in inadequate emergency access?*

X

f) *Result in inadequate parking capacity?*

X

g) *Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

X

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

The project, which consists of the legalization of agricultural accessory buildings, does not directly affect transportation and traffic. However, if the General Plan Amendment and Rezoning are approved the owner will apply for Use Permits to use the buildings in ways that may cause an increase in traffic. Analysis of the number and frequency of vehicle trips, the types of vehicles, and the adequacy of Howell Mountain Road and Big Rock Road to accommodate the traffic will be required.

#### Project Impacts

Although there is no impact to Transportation/Traffic at this time, the future use of the buildings for wine or agricultural product storage and shipping could result in traffic impacts.

#### Mitigation Measure 9.

At the time of review of application to utilize the buildings, the owner shall submit information for analysis of the number and frequency of vehicle trips, the types of vehicles, and the adequacy of Howell Mountain Road and Big Rock Road to accommodate the traffic. The Planning Commission shall use this information to determine whether conditions of approval are necessary to mitigate traffic impacts and whether the appropriate findings required by Municipal Code Section 17.168.050, "That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use", can be made.

Compliance with this Mitigation Measure will reduce Transportation/Traffic impacts to a *less-than-significant* level.

#### 16. UTILITIES AND SERVICE SYSTEMS. Would the project:

|                                                                                                                                                                                                                                                |  |  |  |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?                                                                                                                                            |  |  |  | X |
| b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                             |  |  |  | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                                  |  |  |  | X |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                                                         |  |  |  | X |
| e) Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? |  |  |  | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?                                                                                                                         |  |  |  | X |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?                                                                                                                                                      |  |  |  | X |

The project buildings will be served by an on-site well and septic system. There will be no use of municipal water or wastewater treatment facilities, and therefore no impact to permits or entitlements. Waste disposal will be sent to the Clover Flat Landfill, which has a permitted capacity of 2.7 millions tons of solid waste and has yet to reach one-half of this capacity. *No impact* on Utilities and Service Systems is anticipated.



| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|-----------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |  |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
| <b>17. MANDATORY FINDINGS OF SIGNIFICANCE.</b>                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |   |
| <i>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</i> |  |  |  | X |
| No such impacts have been identified.                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |   |
| <i>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?</i>                                                                                                        |  |  |  | X |
| No such impacts have been identified.                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |   |
| <i>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>                                                                                                                                                                                                                                                                                                               |  |  |  | X |
| No such impacts have been identified.                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |   |

**Mitigation Monitoring & Reporting Program  
Forman General Plan Amendment and Rezoning**

| <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Implementing Responsibility</b> | <b>Monitoring Responsibility</b> | <b>Monitoring Schedule</b> | <b>Verification</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------|----------------------------|---------------------|
| <b>Aesthetics</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                  |                            |                     |
| <b>Mitigation Measure 1.</b><br>All exterior lighting shall be low mounted, downward casting and fully shielded. Light fixtures shall not be located at the periphery of the property and shall be located so that light and glare do not spill over onto adjacent properties or into the sky. Flood lights are not permitted and security lighting, if utilized, shall be on motion-sensors. With this mitigation in place, the impact to light and glare is reduced to a <i>less-than-significant</i> level.                     | Planning and Building Department   | Planning and Building Department |                            |                     |
| <b>Biological Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                  |                            |                     |
| <b>Mitigation Measure 2.</b><br>No tree or vegetation removal shall occur on the project site (APN 025-070-029) without use permit approval or prior to CEQA analysis of impacts, including but not limited to impacts on biological and hydrological resources. No earth movement activities shall occur on slopes greater than 30%.                                                                                                                                                                                              | Planning and Building Department   | Planning and Building Department |                            |                     |
| <b>Geology and Soils</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                  |                            |                     |
| <b>Mitigation Measure 3.</b><br>As built plans shall be prepared for the illegally constructed restroom, cave portal, family room (utilized as tasting room), and equipment shed and storage barn. Plans shall be submitted to the St. Helena Building Department for plan check. The Building Official shall check the plans and conduct inspections on the buildings. Inspections shall require the uncovering of building materials as necessary to verify that correct construction and engineering practices were adhered to. | Planning and Building Department   | Planning and Building Department |                            |                     |
| <b>Mitigation Measure 4.</b><br>Prior to issuance of building permits and legalization of the buildings, the owner shall obtain permits from the Napa County Environmental Management to legalize or modify the existing septic system, or to remove the existing system, restore the property and construct a new septic system.                                                                                                                                                                                                  | Planning and Building Department   | Planning and Building Department |                            |                     |
| <b>Hazards and Hazardous Materials</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                  |                            |                     |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |                                  |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------|--|--|
| <b>Mitigation Measure 5.</b><br>The property owner shall submit a hazardous materials plan to the City of St. Helena Fire Marshal and to Napa County Environmental Management, if required, for review and approval prior to issuance of building permits.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Planning and Building Department | Planning and Building Department |  |  |
| <b>Mitigation Measure 6.</b><br>The owner shall submit a Fire Protection Plan to the St. Helena Fire Chief and the St. Helena Fire Marshal. The plan shall consist of a site analysis including topography, fuel analysis, fuel modification, Fire Hazard Severity, climatic conditions, fire history, slope percentages and slope aspects, defensible space and water supply requirements. Prior to issuance of building permits, the Fire Chief shall review the Fire Protection Plan and determine whether additional requirements are needed including, but not limited to a vegetation management plan, additional water supply (including hydrants and standpipes), improved road surfaces and additional turnouts if road slope exceeds standards, special building construction, annual testing of water sources, hydrants and other fire protection equipment, and storage of firewood and other combustible materials. | Planning and Building Department | Planning and Building Department |  |  |
| <b>Land Use and Planning</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |                                  |  |  |
| <b>Mitigation Measure 7.</b><br>The owner/ applicant shall apply for use permits for the use of the buildings in conformance with the City of St. Helena General Plan and zoning ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Planning and Building Department | Planning and Building Department |  |  |
| <b>Noise</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |                                  |  |  |
| <b>Mitigation Measure 8.</b><br>The builder shall submit manufacturer information pertaining to the noise generation of any mechanical equipment that is proposed to be located on the exterior of the structures. The information will help the building official determine whether the ambient noise level at any property line will be increased by more than 5 dba. If it is determined that the noise level will be increased by more than this amount, appropriate measures shall be imposed to reduce the increase in the ambient noise level to less than 5 dba. These measures could include replacement, relocation, removal or shielding of the equipment.                                                                                                                                                                                                                                                            | Planning and Building Department | Planning and Building Department |  |  |
| <b>Transportation / Traffic</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |                                  |  |  |
| <b>Mitigation Measure 9.</b><br>At the time of review of application to utilize the buildings, the owner shall submit information for analysis of the number and frequency of vehicle trips, the types of vehicles, and the adequacy of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Planning and Building Department | Planning and Building Department |  |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Howell Mountain Road and Big Rock Road to accommodate the traffic. The Planning Commission shall use this information to determine whether conditions of approval are necessary to mitigate traffic impacts and whether the appropriate findings required by Municipal Code Section 17.168.050, “That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use”, can be made. |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |



**From:** Leigh Matthes <[leigh@matthesgroup.com](mailto:leigh@matthesgroup.com)>  
**Sent:** Monday, October 16, 2023 1:55 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Request for Continuance

Director DeRosa -

I am contacting you regarding item 5.1 (Forman Winery) on the October 17 Planning Commission agenda. I own the land directly adjacent to the Forman parcel. My land is Napa County APN 025-070-043, and the applicant uses well on my property for his vineyard and winery.

I have not received any notice, nor has the applicant contacted me regarding the proposed project. Given the lack of notice and communication with the applicant, I only just learned of this application and have not had sufficient time to review the project. Any increase in water use is a concern to me and is something that I would like time to review. I also would like to understand how the City can approve the increased use of a well located in the County. Therefore, I request that this item be continued to allow more time for my review of this item. I am sorry that I cannot present this request in person. I am traveling right now and only just learned of this application after a friend told me about it.

Sincerely,  
Leigh Matthes  
415 517 6060





## PLANNING COMMISSION REPORT

Planning Commission Meeting of October 17, 2023

**FILE NUMBER:** PL23-024

**SUBJECT:** The applicant is requesting adoption of a resolution approving a demolition permit, design review and a use permit amendment in order to demolish an existing restaurant to accommodate the construction of a new restaurant on the property located at 61 Main Street in the Service Commercial zoning district.

**PREPARED BY:** Aaron Hecock, Senior Planner

**REVIEWED BY:** Maya DeRosa, Community Development Director

**APPROVED BY:** Maya DeRosa, Community Development Director

**APPLICATION FILED:**05/10/23

**ACCEPTED AS COMPLETE:**09/13/23

**LOCATION OF PROPERTY:** 61 Main Street

**APN:** 009-434-011

**GENERAL PLAN/ZONING:** Service Commercial (SC)

**APPLICANT:** Bruce Marder

**PHONE:** (310) 699-9422

### **BACKGROUND**

The existing 15,704 square foot (sf) parcel is currently developed with a an approximately 2,807 sf, single-story restaurant (Golden Harvest) along with several accessory storage containers. The building was constructed in approximately 1960 and is 13' in height to the top of the first floor and 18' to the top of the loft space. Golden Harvest received use permit approval in January 1996 (Use Permit No.95-90) for a 35-seat restaurant and use permit amendment approval in 2014 (Use Permit Amendment PL14-027) to add a bar/lounge with an additional 19 seats.

### **PROJECT DESCRIPTION**

The applicant is seeking demolition permit, design review and use permit amendment approval to demolish the existing restaurant building in order to construct a new 3,597 sf 76-seat restaurant. The restaurant would consist of a main dining room, bar, private dining room, wine room, kitchen, dishwashing area, office, restrooms, and a small outdoor dining patio. Exterior materials of the restaurant building would consist of burnt orange half-round clay roof tiles, tan stucco walls, and natural wood doors and windows. The height of the proposed restaurant at its highest point would 20'10" which is approximately 3 feet taller than the existing restaurant to its highest point (18'). Dry storage and refrigeration structures would be located along the side of the building. The proposed siding material is vertical wood boards, painted to match the main building color.

The applicant proposes to increase the number of seats from 54 to 76 and to change the permitted hours of operation from 7 days/week from 11:00 am to 10:00 pm to dinner only service Wednesday through Sunday from 4:30 pm to 11:00 pm. In order to provide operational flexibility in the future, staff has conditioned the hours of operation to 7 days/week from 11:00 am to 11:00 pm. However, a condition of approval has also been added prohibiting outdoor activities, including dining service after 10:00 pm.

### **ANALYSIS**

#### **CEQA**

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301, which exempts the demolition and removal of individual small structures; Section 15302, which exempts the replacement or reconstruction of existing structures; Section 15303, which exempts the construction or conversion of small structures including commercial buildings less than 10,000 sf in floor area; and Section 15332, which exempts projects characterized as in-fill development. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

#### **GENERAL PLAN**

The subject property has a General Plan Land Use designation of Service Commercial (SC). The SC land use designation includes service and retail uses that have larger space needs than are available in the Central Business District. Potential SC uses include offices, restaurants, service stations, and lodging, with a maximum allowable FAR of 0.50. The SC designation includes areas fronting State Route 29/Main Street south of Sulphur Creek. The 2040 St. Helena General Plan includes the following policies that are relevant to the proposed project:

- LU3.5      Ensure that new retail and commercial development is compatible with and complementary to St. Helena's small-town image.

*Staff response: Consistent in that the proposed project is replacing an old, aesthetically unremarkable restaurant structure with a new, updated restaurant structure that is appropriate and compatible in size, scale and design with other development in St. Helena.*

- ES2.1 Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development.

*Staff response: Consistent in that a new, updated restaurant in this space would serve both visitors and locals alike and would provide jobs and valuable tax revenue.*

- ES2.2 Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.

*Staff response: Consistent in that a new, updated restaurant in this space would be oriented toward a more upscale market, would serve both visitors and locals alike and would provide jobs and valuable tax revenue.*

- ES2.3 Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the cap on the number of hotel and motel rooms and restaurant seats but continue to limit vacation rentals.

*Staff response: Consistent in that the proposed restaurant would replace an existing restaurant resulting in no net increase in the number of restaurants in the city.*

Overall Staff Response: In accordance with the General Plan and in particular those policies listed above, the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and an updated amenity. For these reasons, the proposed project exhibits overall consistency with the General Plan Update 2040.

## **ZONING**

Consistent with the General Plan land use designation described above, the subject property has a zoning designation of Service Commercial (SC). The service commercial district (SC) designation provides for service and retail uses, restaurants, service stations, motels, public and quasi-public uses and similar and compatible uses. The designation is intended primarily for service and retail uses that are automobile-oriented or whose operational characteristics and space needs are not considered appropriate



for the central business district. All regulated uses shall be subject to use permit review by the planning commission prior to change in use or expansion of use; and, pursuant to St. Helena Municipal Code (SHMC) Section 17.164 (Design Review), all new structures require design review approval and must conform to the development standards prescribed by SHMC §17.52.070 as detailed below:

| STANDARD                        | MIN/MAX       | EXISTING        | PROPOSED        |
|---------------------------------|---------------|-----------------|-----------------|
| Lot Area                        | 10,000 sf min | 15,704 sf       | No Change       |
| Front Setback* (Main St.)       | 35 feet       | ±70 feet        | ±71 feet        |
| Rear Setback** (Residential)    | 20 feet       | ±20 feet        | 20 feet***      |
| Sideyard Setback (Service Com.) | 10 feet/floor | ±22/16 feet**** | ±14/16 feet**** |
| Height                          | 35 feet max   | 18 feet         | 20'10"          |
| Floor Area Ratio (FAR)          | 0.50 max      | 0.19            | 0.28            |

*\*Fifteen percent (15%) of lot depth shall be the average front building setback along Main Street, but in no case shall the setback be less than thirty-five (35) feet. The first thirty-five (35) feet of the front setback shall be devoted to landscaping exclusive of driveway access with the balance, if any, of the required front setback devoted to parking or landscaping as determined by design review. Lot depth is the depth of the parcel or portion thereof which is zoned commercial. In this case, the average lot depth is 145.6';  $145.6' \times 15\% = 21.84'$ ; therefore, the 35' front setback minimum is applied.*

*\*\*The rear yard setback is 15 feet except that yards abutting a property designated residential shall have a minimum of twenty (20) feet.*

*\*\*\*SHMC Section 17.112.060(A), Projections into required yards and setbacks, states that architectural features (bay windows, eaves, fireplaces, chimneys, sills, etc.) less than fifteen (15) feet in length may extend into any required yard or setback for a distance of not more than two feet.*

*\*\*\*\*A 16 foot wide utility easement runs along the right side of the property from Main Street to the rear of the property.*

**Staff Response:** *The proposed project meets all development standards as required by Section 17.52.070 of the SHMC including setbacks, height and floor area ratio. Of note, the proposed storage structure(s) toward the rear of the property are setback 3 feet from the property line as required by SHMC Section 17.116.010 and are not within a required parking area consistent with SHMC Section 17.52.050. The 2 roof eaves off the rear of the building are 7 feet in length and extend into the rear yard setback for 2 feet meeting the requirements of SHMC Section 17.112.060(A).*

## **LANDSCAPING REQUIREMENTS**

SHMC Section 17.52.090(E) prescribes various landscaping requirements for shade trees, planters, and landscaped areas. Frontage yards, off-street parking areas, and all

other open areas (other than screened storage areas) must be permanently maintained by the property owner to cover a minimum of 20% of the total site. For parking lots with 16 or more spaces, 20 trees/acre are required if the canopy is 40 feet or greater and 24 trees/acre are required if the canopy is less than 40 feet. Where a parking lot abuts a public right-of-way, there shall be a landscape planter parallel the right-of-way. This code section also states that landscaping and shade trees shall be contained in planters and tree wells bordered by a six-inch-high concrete curb or equivalent barrier approved by the city. This code section goes on to say that unless otherwise specified in the code or under the conditions of an approved permit, planters and tree wells shall have a width of not less than five feet and shall be protected from automobile overhang where necessary through the provision of barriers, tire stops or additional width.

*Staff Response: As proposed, nearly 24% of the site would be landscaped (3,729 sf), which meets the 20% landscaping requirement. Assuming the tree canopy will be less than 40 feet as a majority of the trees will be new, 24 trees/acre would be required. As the site is .36 acres, 8.64 parking lot trees would be required. The project proposes extensive new landscaping including the addition of multiple trees, 6 of which will be in the parking area to complement 3 existing trees which currently provide shade/cover in the parking area for a total of 9 shade trees. A landscaping strip will be provided parallel to the sidewalk separating the parking area and the sidewalk. Landscaping and shade trees will be contained in planters and tree wells bordered by a six-inch-high concrete curb or equivalent barrier (a condition of approval has been added to reflect this). Planters and tree wells will have a width of not less than five feet and will be protected from automobile overhang where necessary with tire stops (a condition of approval has been added to reflect this).*

#### **WASTEWATER GENERATION**

SHMC Section 17.52.090(F) restricts each and every use in the SC district such that any lot of record does not generate wastewater in excess of 600 gallons per day (gpd), without a use permit which regulates wastewater generation.

*Staff Response: The uses at 61 Main Street are limited to 600 gpd per the code section referenced above. Based on the attached water demand analysis, daily water use is estimated to be approximately 260 gpd, fall below the 600 gpd maximum. A condition of approval has been added requiring that the 600 gpd wastewater generation maximum be maintained.*

#### **HISTORIC RESOURCES**

The existing restaurant was constructed in approximately 1960 and is not listed on the City's Historic Resources Master List. However, due to the age of the structure staff required that it be evaluated by a qualified architectural historian for any potential historical or architectural significance.

*Staff Response: As described in the attached Historical Evaluation prepared by Brunzell Historical dated June 30, 2023, the property is not significant within the context of commercial development or within any other historic context. Furthermore, the property*

*is not associated with the life of persons important to St. Helena's history and the building is an unremarkable example of 1960s era commercial building. The building lacks decorative features or references to a particular architectural style and is not an outstanding example of vernacular architecture. Neither the property nor the existing restaurant structure are architecturally or historically significant; its demolition will not have a negative impact on existing historic districts or structures.*

## **WATER**

Chapter 13.12.030 of the SHMC requires mandatory water efficiency measures and water demand offset requirements for new construction. Among these provisions is the requirement that any "new development" (i.e. construction that would introduce any freestanding building that contains water-using fixtures, any floor area additions to existing nonresidential structures, or any residential additions or remodeling that increases the number of independent living units) offset new water demand by an amount equal to the new demand placed on the city water system (i.e., it must be water neutral). The offset must be clearly demonstrated to the satisfaction of the Public Works Department.

*Staff Response: A Water Demand Analysis prepared by Wine Country Civil Engineering dated July 2023 and attached to this report concluded that the proposed project would result in a reduction of water use on-site. The new restaurant would use less water due to the required use of modern water efficient fixtures and appliances. The water neutrality requirement has been demonstrated to the satisfaction of the Public Works Director.*

## **PARKING**

SHMC Section 17.124.030 "Minimum On-site Parking Requirements", requires that establishments with seating for the service of food and/or drinks provide one parking space for each 4 seats.

*Staff Response: As detailed in the project proposal and attached plan set, the project is proposing a 76-seat restaurant. Therefore, the project as proposed requires 19 on-site parking spaces ( $76/4 = 19$ ). As demonstrated in the plan set, the project includes the required 19 on-site parking spaces and therefore meets code required off-street parking requirements.*

## **DEMOLITION PERMIT**

As provided in SHMC Sections 17.52.090(G) and 17.164.050(G), no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the Planning Commission in accordance with the following findings:

1. That based on the public record and testimony presented at a public hearing, the structure is determined not to be a significant architectural or historical building.

2. If a structure is determined to be significant by the planning commission, no demolition will be authorized unless the following findings are made by the commission:
  - a. That the structure poses a threat to health, safety and general welfare if it is not demolished,
  - b. That restoration of the structure is not feasible or practicable using current building codes including, but not limited to, the Historic Building Code provisions of the Uniform Building Code of the state of California,
  - c. That no public or other funding is available for financing renovation or purchase of the structure.

*Staff Response: The existing structure was constructed in approximately 1960 and is not listed on the City of St. Helena's historical resources inventory. As described above in the Historical Resources analysis, neither the property nor the existing restaurant structure is historically or architecturally significant. Demolition of this structure would not impact a historical resource or otherwise negatively affect the character of the area.*

#### **DESIGN REVIEW**

SHMC Sections 17.52.040 and 17.164.050 require design review approval for new structures or buildings. The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The Planning Commission must find that the project takes reasonable account of the design criteria prescribed in SHMC Section 17.164.030 (listed below) in review of this application:

1. Consistency and compatibility with applicable elements of the general plan.
2. Compatibility of design with the immediate environment of the site.
3. Relationship of the design to the site.
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character.
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses.
6. Compatibility with future construction both on and off the site.
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project.
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community.
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures.
10. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles.
11. Whether natural features and vegetation are appropriately preserved and integrated with the project.

12. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structures and functions.
13. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors, create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site.
14. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.

*Staff Response: The proposed project would replace an old, architecturally unremarkable structure that is past its useful life with a new, updated structure of a scale and massing that is consistent with the context of the surrounding area. The project was designed to be compatible and respectful to the site and the surrounding environment with exterior finishes consisting of half-round clay roof tiles, stucco walls, wood doors and windows with a height of just under 21 feet. For these reasons, staff believes that the proposed project is consistent with the required design review criteria listed above. Per SHMC Section 17.164.040(C), only the proponent's failure to take reasonable account of the items discussed in Sections 17.164.010 through 17.164.030 shall justify the Commission's disapproving a proposal solely on the basis of design.*

#### **USE PERMIT AMENDMENT**

As noted above, SHMC Section 17.52.030 requires use permit approval to create an eating and drinking establishment in the Service Commercial district. As a use permit for a restaurant at this location currently exists, because the applicant wishes to expand the number of seats currently permitted by the existing use permit, a use permit amendment is required. The purpose of a use permit is to allow the proper integration of essential or desirable uses which may be suitable only in certain locations or zoning districts in the City, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. Pursuant to SHMC Section 17.168.050, no use permit shall be granted unless the following findings can be made:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.



5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
8. That the proposed use would not be in conflict with the City's General Plan.
9. That the proposed use would not be injurious to public health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

***Staff Response:** The existing site has been home to a restaurant operation for at least 25 years and the proposed project would continue that use. The proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and an updated amenity. The project would not make excessive demands on city services, nor would it generate traffic, parking or other impacts that would be injurious to public health, safety or welfare. Staff believes that the project meets and/or complies with the required findings to approve a use permit amendment for the proposed project. The findings included in the attached resolution identify this compliance.*

### **ISSUES**

At the time of agenda publication staff had not received any correspondence related to this application.

### **CORRESPONDENCE**

Staff has not identified any outstanding issues related to this application that require additional discussion.

### **STAFF RECOMMENDATION**

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15301, 15302, 15303 and 15332; and
2. Accept the required findings and approve the attached resolution granting demolition permit, design review and use permit amendment approval for the

proposed demolition and new construction on the property located at 61 Main Street.

**ATTACHMENTS**

[Resolution](#)

[Written Statement Revised 08.31.23](#)

[Aerial & APN](#)

[Project Plans Revised 09.13.23](#)

[Historical Evaluation Revised 07.13.23](#)

[Water Use Analysis Revised 07.13.23](#)

**CITY OF ST. HELENA PLANNING COMMISSION  
RESOLUTION NO.  
GRANTING DEMOLITION PERMIT, DESIGN REVIEW AND USE PERMIT  
AMENDMENT APPROVAL TO  
61 MAIN ST. (File No. PL23-024)**

**PROPERTY OWNER:** Suling Chen Chiu

**APN:** 009-434-011

**Recitals**

1. The property owners request adoption of a resolution approving a demolition permit, design review and a use permit amendment in order to demolish an existing restaurant to accommodate the construction of a new restaurant on the property located at 61 Main Street in the Service Commercial zoning district.
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law.
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on October 17, 2023; and
4. Now, therefore let it be found that, the Planning Commission approves the demolition permit, design review and use permit amendment thereby authorizing the modifications contained in the approved plans based on the findings below and subject to the conditions of approval enumerated herein.

**Resolution**

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301, which exempts the demolition and removal of individual small structures; Section 15302, which exempts the replacement or reconstruction of existing structures; Section 15303, which exempts the construction or conversion of small structures including commercial buildings less than 10,000 sf in floor area; and Section 15332, which exempts projects characterized as in-fill development.
- C. Pursuant to St. Helena Municipal Code (SHMC) Section 17.164.050, the Planning Commission makes the following findings to support the motion to approve the demolition permit to allow for the demolition the existing structures on-site:
  1. *That, based on the public record and testimony presented at a public hearing, the structure is determined not to be a significant architectural or historical building in that the property and structure are not listed on the City's Historical Resources*

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*Master List and were determined by a qualified architectural historian to not to be historically or architecturally significant.*

- D. In accordance with the design review criteria identified in SHMC Section 17.164.030, the Planning Commission finds that the project demonstrates the following:
- 1. Consistency and compatibility with applicable elements of the general plan in that the project consists of constructing a replacement restaurant in the service commercial land use designation where the General Plan intends for restaurants to be located.*
  - 2. Compatibility of design with the immediate environment of the site in that the project is replacing an old restaurant structure with a new, updated structure in a commercially designated area and the new structure has been designed to be compatible with the site and its surroundings.*
  - 3. Relationship of the design to the site is found to be consistent in that the project was designed in consideration of the unique characteristics of the site and the surrounding area.*
  - 4. That the design is compatible in areas considered by the board as having a unified design or historical character in that the proposed replacement restaurant is not in an area with a unified design or historical character and has been designed to be compatible with the site and the surrounding area.*
  - 5. That the design promotes harmonious transition in scale and character in areas between different designated land uses in that the project consists of replacing an existing restaurant on a site designated for commercial uses. The project would not alter the scale or transition between different land uses as the proposed project is of a similar scale and there would be no change in land uses.*
  - 6. Compatibility with future construction both on and off the site in that the project consists of replacing an existing restaurant on a site designated for commercial uses which is compatible with the site and the surrounding area.*
  - 7. That the architectural design of structures and their materials and colors are appropriate to the function of the project in that the project is a contemporary single-family home using modern materials and appropriate colors including a burnt orange half-round clay roof tiles, tan stucco walls, and natural wood doors and windows which are appropriate and compatible with surrounding development.*
  - 8. That the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community in that the proposed structure and associated landscaping has been designed to be compatible with the site and its surroundings and to create a desirable environment.*
  - 9. That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures in that the proposed project has been designed to be compatible with the site and its surroundings and includes substantial new landscaping intended to beautify the site.*

10. *That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles in that access to the site will remain via a direct driveway on Main Street.*
  11. *That natural features and vegetation are appropriately preserved and integrated with the project in that the proposed structure and associated landscaping has been designed to be compatible with the site and its surroundings.*
  12. *That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions in that in that the proposed structure will be constructed of modern building materials including half-round clay roof tiles, stucco walls, wood doors and windows which are appropriate and compatible with surrounding development.*
  13. *That the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site in that the proposed project has been designed to be compatible with the site and its surroundings and includes substantial new landscaping intended to beautify the site.*
  14. *That sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials in that project related construction is required to meet all California Building Codes and City of St. Helena development standards.*
- E. In accordance with Municipal Code Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit amendment:
1. *That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that the use permit amendment is to expand the number of permitted seats for a restaurant use and that proposed uses would occur primarily indoors within a new building.*
  2. *That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that proposed uses would primarily occur inside a new restaurant structure constructed to meet current building codes and are not anticipated to generate significant increases in noise, traffic or other external activities on-site.*
  3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as project generated traffic will not increase the level of traffic noise on Highway 29 (Main Street).*
  4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply,*



*communication facilities, police protection, and fire protection in that commercial uses will continue on a site designated for commercial activities. The proposed uses would not make excessive demands on any of the services listed above.*

5. *That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress/egress would not change as a result of the proposed project.*
6. *That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and an updated amenity.*
7. *That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project consists of replacing an old restaurant structure with a new, updated structure in a commercially designated area and the new structure has been designed to be compatible with the site and its surroundings.*
8. *That the proposed uses would not be in conflict with the City's General Plan in that in that the project consists of constructing a replacement restaurant in the service commercial land use designation where the General Plan intends for restaurants to be located. Additionally, the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and an updated amenity.*
9. *That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed project consists of replacing an existing restaurant structure with a new restaurant structure on a site designated for service commercial uses such as restaurants.*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit amendment only applies to this property and to these specific uses; future applications are reviewed on a case-by-case basis subject to the constraints of each site and the specific operational characteristics proposed with each application.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available in that the site provides off-street parking as required by the St. Helena Municipal Code (Section 17.124).*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use in that the proposed project consists of replacing an existing restaurant structure with a new restaurant structure. The project site can adequately be served by existing streets with primary access being from Hwy 29/Main Street.*

**Planning Department Conditions of Approval**

- F. The Planning Commission approves a demolition permit, design review and use permit amendment for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
  2. This approval expires 12 months from the date of the Planning Commission approval hearing if a complete building permit application has not been submitted for the project. The expiration date may be extended for up to two one-year periods in accordance with St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
  3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
  4. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
  5. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
  6. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:  
  
In recognition of the need for additional affordable housing, and to mitigate the effects of this development on the supply and demand of affordable housing, the permittee shall be subject to a Housing Impact Fee, an inclusionary requirement, an in-lieu fee, and/or similar fair and appropriate mechanisms, to provide funds for or to develop additional affordable housing.
  7. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
  8. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

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9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

*Design Review Conditions of Approval*

10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
11. The plans submitted for building permits shall be in substantial conformance with the plans reviewed and approved by the Planning Commission on October 17, 2023, except as modified herein. Any changes to the plans may result in additional requirements and improvements by one or several departments.
12. Substantive changes to the plans may require new entitlements.
13. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
14. During demolition and construction, the project site shall be adequately fenced and secured to prevent trespassing.
15. Exterior lighting shall be directed or shielded to prevent glare onto public roadways or adjacent properties.
16. All trash and recycling areas shall be screened from view.
17. Landscaping and shade trees shall be contained in planters and tree wells bordered by a six-inch-high concrete curb or equivalent barrier.
18. Planters and tree wells will have a width of not less than five feet and will be protected from automobile overhang where necessary with tire stops.
19. Frontage areas, landscaping, off-street parking areas, and all other open areas shall be permanently maintained by the property owner.
20. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The Public Works Director must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

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Use Permit Amendment Conditions of Approval

21. This use permit amendment supersedes and replaces previously approved use permits including UP 95-90 and PL 14-027.
22. Hours of operation are limited to seven (7) days per week from 11:00 am to 11:00 pm.
23. Outdoor activities, including dining service, are not permitted after 10:00 pm.
24. Music shall be allowed when accessory to the approved use and shall not be audible beyond the property boundary. No amplified or acoustic music is permitted outdoors.
25. The uses in the existing building are limited to 600 gallons per day of wastewater.
26. A Sign Permit must be applied for and obtained for any new and/or replacement signage.

**Public Works Department Conditions of Approval**

27. The applicant is responsible for conformance with the City of St. Helena Water Neutrality Requirements (Policy 9.2.1) in accordance with SHMC 13.04.221 and 13.12.030.
28. Grease interceptor installation and operation shall comply with SHMC 13.24.100. Wastewater discharged is subject to all the requirements and limitations set forth in SHMC 13.20.
29. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy being issued.
30. The applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
31. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
32. New construction which require fire sprinklers shall install an appropriately sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing.
33. Drainage into and out of the trash enclosure area will not be allowed. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area. Also, if an area drain is required, it must be connected to the sanitary sewer and a structural control such as an oil/water separator or sand filter must be included.

34. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
35. The improvement plans shall include a Construction Traffic Control Plan.
36. The improvement plans shall include an Erosion and Sediment Control Plan.
37. An Encroachment Permit is required for all work within City right of way.
38. A Grading Permit is required for soil disturbance more than 50 cubic yards, a disturbance area of 10,000 square feet, a cut or fill of 3 feet or more, or alteration of any drainage pattern.
39. If the project includes 500 square feet or more of new landscaping and/or 2,500 square feet or more of rehabilitated landscape, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). An MWELO application shall be completed and submitted as part of the building permit submittal.
40. A detailed Post-Construction Stormwater Control Plan (SWCP) that identifies and sizes all permanent post-construction stormwater treatment BMPs shall be prepared and submitted for review approval. The Plan shall be prepared in accordance with the latest edition of the *Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual*. The Plan will be reviewed with building permit application. Plans shall detail all measures as required and indicated in the submitted stormwater control plan.

#### **Building Department Conditions of Approval**

41. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. Currently the city of St. Helena utilizes the 2022 Title-24 California Building Code series.
42. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
43. The applicant shall provide a Construction Waste Management Plan with the building permit application.
44. The plans for construction shall include a checklist for compliance with the California Green Building Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
45. When submitting plans, the Title Page shall include all information referenced on the building permit application checklist Title Page requirements.
46. Building permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components



requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application.

47. Any deferral of the required submittal items shall have prior approval of the Building Official, however, deferral of the fire sprinkler design is not allowed.
48. A separate demolition permit is required from the Building Department prior to demo of any structure on the property. Any on-site septic systems or cesspools will require a demo permit from the County of Napa Environmental Health Department.
49. This project will require a properly sized grease-interceptor in accordance with Table 1014.3.6 of the California Plumbing Code. The grease interceptor shall be located on the exterior of the building in a location that provides access for proper maintenance and cleaning.
50. The project shall comply with all applicable ADA requirements including Chapter 11B of the 2022 California Building Code.
51. A separate fire permit is required for the Type-1 hood automatic fire suppression system.
52. The building plans shall include information on the Type-1 Hood including firewalls and clearance to combustibles. Installation shall comply with Chapter 5 of the California Mechanical Code.
53. A separate permit is required from the Napa County Environmental Health Department for kitchen design and equipment. Applicants are encouraged to engage with the NCEHD early in the process to avoid unnecessary project delays.

#### **Fire Department Conditions of Approval**

54. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
55. Fire sprinklers shall be installed as required by Fire Code and the Fire Department.
56. One hour minimum fire-resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.

**I HEREBY CERTIFY** that the foregoing demolition permit, design review and use permit amendment applications were duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on October 17, 2023 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

61 Main St.  
Resolution / Conditions of Approval  
October 17, 2023

APPROVED:

ATTEST:

---

John Ponte  
Chair, Planning Commission

---

Maya DeRosa, AICP  
Community Development Director

**REVISED**

9:42 am, Aug 31, 2023



July 12, 2023

**Applicant:**

Bruce Marder  
61 Main Street.  
Saint Helena, CA 94574

**Project Statement**

**Proposed Work: New Restaurant at 61 Main Street**

The applicant is seeking approval for the demolition of an existing structure totaling approximately 2,807 square feet; design review approval to construct a new single-story structure that will house a restaurant; and approval of a use permit amendment for a new restaurant program.

**Demolition permit – scope of work:**

The scope consists of the demolition of an existing one-story structure (with loft) totaling approximately 2,807 square feet and site clean-up. Site clean-up includes removal and disposal of a 8x20 metal storage container, 6x8 metal walk-in cooler, and miscellaneous debris.

**Design review – proposed project description:**

The proposed design is for a new, one-story restaurant totaling 3,597 square feet and consisting of a main dining room, bar, private dining room, wine room, kitchen, dishwashing area, office, two customer restrooms, and one employee restroom. The maximum proposed building height is 20'-10". A small outdoor dining patio is proposed on the north side. Property will be landscaped throughout, and trees will be added at the revised parking area up front.

The proposed exterior finishes of the main building include half-round clay roof tiles, stucco walls, and wood doors and windows. Please refer to proposed colored exterior elevations for the proposed color pallet.

Dry storage and refrigeration will be located along the side of the building. The proposed siding material is vertical wood boards, painted to match the main building color. Structures for dry storage and wine storage will be located in the back yard. Proposed structures will be premanufactured units with vertical board siding painted to match the main building.

Mechanical and ventilation equipment will be located on the west-facing side of the roof. The proposed landscaping consists of low and moderate water-usage plants. Parking will remain in front of the building, facing Highway 29. Existing perimeter fencing will remain in place. The fence consists of 1x6 cedar fence boards and PT. wood support structure. The fencing will be repaired and painted as needed.



**Use permit amendment – proposed changes:**

The applicant proposes to increase the number of seats from 59 to 76, and to change the hours of operation. The proposed new restaurant will serve Italian and Mediterranean style cuisine and will have a full-service bar. The proposed service will be for dinner only from Wednesday through Sunday, with hours of operation between 4:30 pm and 11:00 pm.

Number of seats: 76 seats

Number of employees: 15 full-time employees

Parking: 19 parking spaces

Floor area summary by use:

- Dining (including private dining room): 1215 sq. ft.
- Bar: 395 sq. ft.
- Kitchen and Dishwashing: 1245 sq. ft.
- Restrooms: 301 sq. ft.
- Office: 65 sq. ft.
- Wine Display: 100 sq. ft.
- Circulation (corridors / hallways, foyer): 276 sq. ft.

Maximum occupant load: 138 occupants

Sincerely,

Sasha Janev – Kroeger Janev Architects



Produced by Napa County GIS

# 61 Main St.

Printed On: 9/11/2023

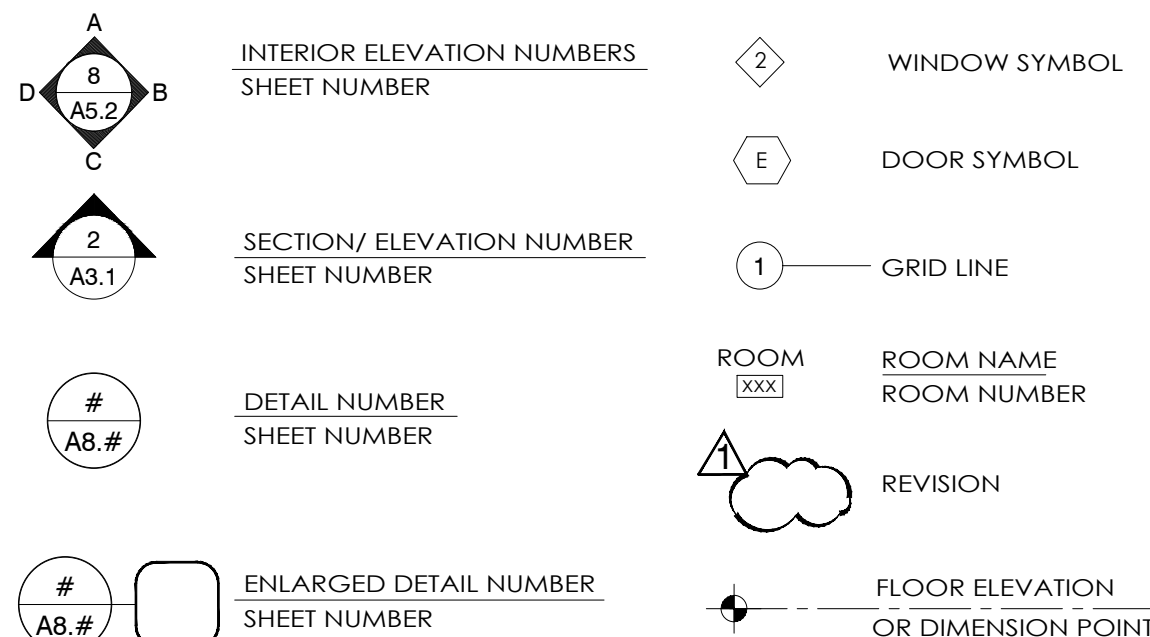
Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated hereon.



GENERAL NOTES

- The work included under this contract consist of all labor materials, transportation, tools and equipment necessary for the construction of the project leaving all work ready for use.
- All construction shall conform to the 2022 California Building Code; 2022 California Mechanical, Electrical, and Plumbing Codes; 2022 California Residential Code, 2022 California Energy Code; 2022 California Green Building Standards Code; Title 24; Fire Safe Standards and any other local governing codes and ordinances. In the event of conflict, the most stringent requirements shall apply.
- The plans indicate the general extent of new construction necessary for the work, but are not intended to be all-inclusive. All demolition and all new work necessary to allow for a finished job in accordance with the intention of the drawing is included regardless of whether shown on the drawings or mentioned in the notes. All work is new, U.O.N.
- Any errors, omissions or conflicts found in the various parts of the construction documents shall be brought to the attention of the Architect and the Owner for clarification before proceeding with the work.
- The General Contractor shall maintain a current and complete set of the construction documents on the job site during all phases of construction for use of all the trades and shall provide all the subcontractors with current construction documents as required.
- The General Contractor shall verify and assume responsibility for all dimensions and site conditions. The General Contractor shall inspect the existing premises and take note of existing conditions prior to submitting prices. No claim shall be allowed for difficulties encountered which could have reasonably been inferred from such examination.
- Written dimensions take precedence. Do not scale drawings.
- All dimensions to and from new construction when shown in plan are to face of stud, face of masonry, centerline, unless otherwise noted.
- All dimensions on reflected ceiling or electrical plans are from face of finish or center line of column to center line of fixture or group of fixtures.
- All vertical dimensions are to face of finish, finish floor, unless otherwise noted.
- All dimensions noted "Verify" and "V.L.F." are to be checked by contractor prior to construction. Immediately report any variances to the architect for resolution.
- Interior walls are 2x4 or 2x6 wood studs @ 16" o.c., unless otherwise noted and all exterior wall are 2x6 wood studs @ 12" o.c., unless otherwise noted.
- Contractor shall provide all seismic bracing and hold-down clips as required by Code for all suspended ceiling and soffit framing conditions.
- Coordinate all work with existing conditions, including but not limited to: irrigation pipes, electrical conduit, water lines, gas lines, drainage lines, etc.
- Provide adequate temporary support as necessary to assure the structural value or integrity of the building.
- Protect all existing building and site conditions to remain including walls, cabinets, finishes, trees and shrubs, paving, etc.
- Details shown are typical. Similar details apply in similar conditions.
- Verify all architectural details with structural, and design/build drawings before ordering or installation of any work.
- Where locations of windows and doors are not dimensioned, they shall be centered in the wall or placed two stud widths from adjacent wall as indicated on the drawings.
- All required exits shall be operable from inside, without the use of key or special knowledge.
- All changes in floor materials occur at centerline of door or framed opening unless otherwise indicated on the drawings.
- All materials, fixtures and equipment must be installed per manufacturer's specification and recommendations.
- Verify clearances for flues, vents, chases, soffits, fixtures, etc., before any construction, ordering of, or installation of any items of work.
- Sealant, caulking and flashing, etc., locations shown on drawings are not intended to be inclusive. Follow manufacturer's installation recommendations and standard industry and building practices.
- All roof deck penetrations and exterior wall openings shall be guaranteed by the contractor to be water tight for a minimum period of one year after substantial completion of all work under this contract.
- The General Contractor shall remove all rubbish and waste materials of all subcontractors and trades on a regular basis, and shall exercise a strict control over job cleaning to prevent any direct debris or dust from affecting, in any way, finished areas in or outside job site.
- Contractor shall leave premises and all affected areas clean and orderly, ready for occupancy. This includes cleaning of all glass (inside and outside) and frames, both new and existing.
- Install smoke and carbon monoxide detectors in accordance with the specifications and in conformance with CBC and local Fire Marshal requirements.
- All exterior doors and windows are to be weather stripped per Title 24 requirements, unless otherwise noted in door details.
- Glass subject to human impact shall be of safety glazing material to meet State and Federal requirements.
- Any survey monuments within the area of construction shall be preserved or reset by a registered civil engineer or a licensed land surveyor.
- Provide shop drawings for all millwork, metal work and custom items.
- Contractor is responsible for reviewing and complying with requirements of Soil Report as prepared by Geotechnical Engineer.

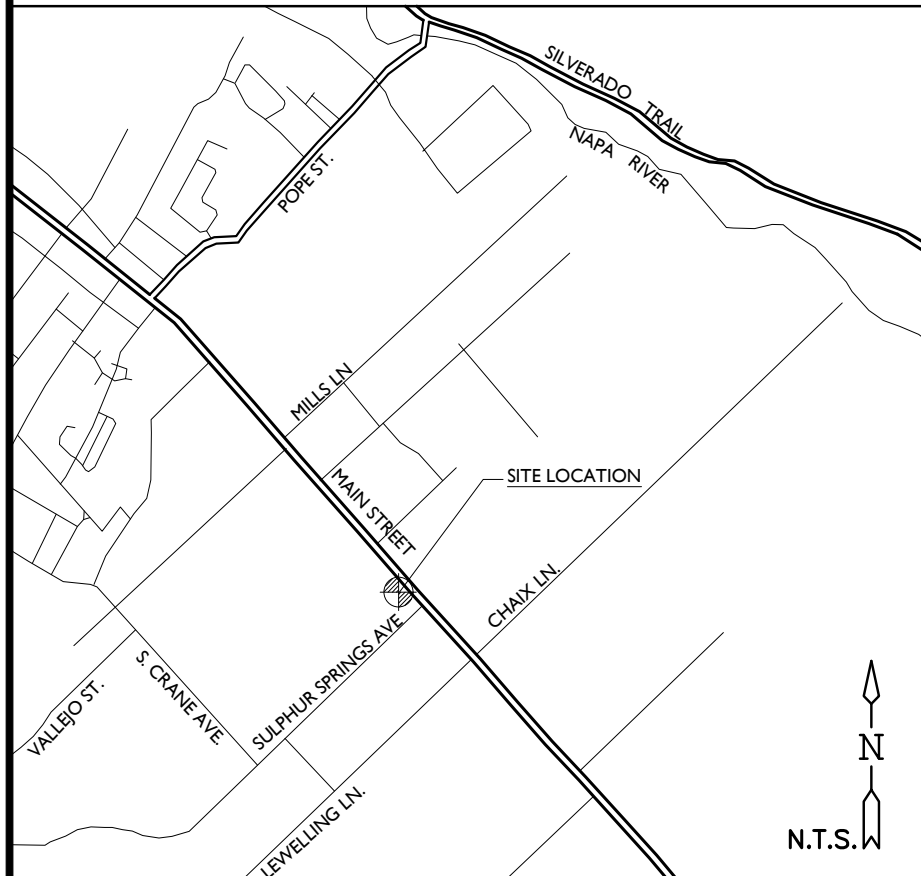
SYMBOLS



VICINITY MAP

Project Information:

CAPO 29  
61 MAIN STREET  
SAINT HELENA, CA 94574  
APN #: APN: 009-434-011



CAPO 29

61 MAIN STREET  
SAINT HELENA, CA 94574

PROJECT STATISTICS

**PROJECT NAME:**  
CAPO 29

**PROJECT ADDRESS:**  
61 MAIN STREET  
SAINT HELENA, CALIFORNIA 94574

**ZONING:**  
SC-SERVICE COMMERCIAL

**OCCUPANCY:**  
MIXED USED OCCUPANCY: A2 & S2

**BUILDING HEIGHT:**  
MAX ALLOWABLE: 30'  
BUILDING HEIGHT: 20.4'

**PROJECT DESCRIPTION:**  
DEMOLITION OF EXISTING RESTAURANT AND CONSTRUCTION OF A ONE STORY NEW RESTAURANT

**APPLICABLE CODES:**  
2022 California Building Code (CBC)  
2022 California Electrical Code (CEC)  
2022 California Mechanical Code (CMC)  
2022 California Plumbing Code (CPC)  
2022 California Fire Code (CFC)  
2022 California Residential Code (CRC)  
2022 California Energy Code (CEC)  
2022 California Green Building Standards Code (GBS)  
2022 California Administrative Code (CAC)  
Applicable General Plan, Zoning, Site Development and Subdivision Ordinances

Note:  
These drawings are to conform to the requirements of the code editions cited above. Any work performed in association with these drawings must also comply with these code editions.

BUILDING AREA CALCULATION:

**EXISTING RESTAURANT SQUARE FOOTAGE:**

|                                                                                      |            |
|--------------------------------------------------------------------------------------|------------|
| EXISTING RESTAURANT TO BE DEMOLISHED:                                                | 2,807 S.F. |
| EXISTING ACCESSORY STRUCTURES TO BE DEMOLISHED: (SHIPPING CONTAINER, WALK-IN COOLER) | 160 S.F.   |
| EXISTING COOLER                                                                      | 48 S.F.    |
| EXISTING BUILDING AREA TO REMOVED:                                                   | 3,015 S.F. |

PROPOSED RESTAURANT SQUARE FOOTAGE:

|                                               |            |
|-----------------------------------------------|------------|
| PROPOSED RESTAURANT BUILDING:                 | 3,597 S.F. |
| PROPOSED ACCESSORY STRUCTURES: WALK IN REFER. | 238 S.F.   |
| NON-PERMANENT STORAGE                         | 579 S.F.   |
| PROPOSED OPEN STRUCTURES: OUTDOOR DINING PAD: | 372 S.F.   |
| ENTRY TRELLIS:                                | 56 S.F.    |
| TRASH ENCLOSURE:                              | 202 S.F.   |

PROPOSED FLOOR AREA: 5,044 S.F.

LOT COVERAGE

PARCEL AREA= 15,704 S.F.

EXISTING LOT COVERAGE= 3,015 / 15,704 x 100%

PERCENTAGE: 19%

PROPOSED LOT COVERAGE= 5,044 / 15,704 x 100%

PERCENTAGE: 32%

F.A.R. CALCULATIONS:

PARCEL AREA= 15,704 S.F.

F.A.R. FOR SERVICE COMMERCIAL DISTRICT = 0.5

(PARCEL AREA) x (0.5) = 15,704 x 0.5

ALLOWABLE FLOOR AREA: 7,852 S.F.

PROPOSED FLOOR AREA: 5,044 S.F.

OPEN STRUCTURES: -630 S.F.

TOTAL FLOOR AREA: 4,414 S.F.

F.A.R. 4,414 S.F. /15,704 = 0.28

\*SQUARE FOOTAGES FROM EXTERIOR BUILDING PERIMETER

ABBREVIATION

|                                                                                                            |                                                                                                                                                                                                                                   |                                                                       |                                                                                                                  |                                                                                                                                                                |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                  |  |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| &<br><<br>@<br>#                                                                                           | And<br>Angle<br>At<br>Diameter or Round<br>Pound or Number                                                                                                                                                                        | CONN.<br>CONST.<br>CONT.<br>CONTR.<br>C.T.<br>CTR.<br>C.W.            | Connection<br>Construction<br>Continuous<br>Contractor<br>Ceramic Tile<br>Center<br>Cold Water                   | F.H.M.S.<br>F.H.W.S.<br>FIN.<br>FIXT.<br>FLR.<br>FLASH.<br>FLUOR.<br>F.O.C.<br>F.O.F.<br>F.O. Ply<br>F.O.S.<br>F.P.R.F.<br>FR.<br>FT.<br>FTG.<br>FURR.<br>FUT. | Flat Head Machine<br>Screw<br>Flat Head Wood<br>Screw<br>Finish<br>Fixture<br>Floor<br>Flashing<br>Fluorescent<br>Face of Concrete<br>Face of Finish<br>Face of Plywood<br>Face of Stud<br>Fireproof<br>Frame<br>Foot or Feet<br>Footing<br>Furring<br>Future | I.D.<br>IN.<br>INSUL.<br>INT.<br>INTER.<br>JAN.<br>JST.<br>JNT.<br>KIT.<br>LAM.<br>LAV.<br>LB.<br>LIN.<br>LN.<br>LT.                                                                                                                | Inside Diameter<br>Inch<br>Insulation<br>Interior<br>Intermediate<br>Janitor<br>Joist<br>Joint<br>Kitchen<br>Laminate<br>Lavatory<br>Pound<br>Linear<br>Line<br>Light                                                                                                                                                                                            | PERIM.<br>PL<br>P.LAM.<br>PLAS.<br>PLYWFD.<br>PNL.<br>PNT.<br>P.S.I.<br>PT.<br>PTD.<br>P.T.D.<br>PTN.<br>P.T.R.<br>Q.T.                                                                                      | Perimeter<br>Plate<br>Plastic Laminated<br>Plaster<br>Plywood<br>Panel<br>Paint<br>Per Square Inch<br>Pressure Treated or<br>Post Tensioned<br>Painted<br>Paper Towel<br>Dispenser<br>Partition<br>Paper Towel<br>Recaptacle<br>Quarry Tile                                                                                                                                                   | S.H.<br>SHR.<br>SHT.<br>SHTG.<br>SIM.<br>SL.<br>S.K.D.<br>S.L.D.<br>S.M.D.<br>S.P.D.<br>SPEC.<br>SQ.<br>S.S.<br>S.S.D.<br>S.S.K.<br>STD.<br>STL.<br>STOR.<br>STRL.<br>S.V. | Sprinkler Head<br>Shower<br>Sheet<br>Sheathing<br>Similar<br>Sliding<br>See Kitchen<br>Drawings<br>See Landscape<br>Drawings<br>See Mechanical<br>Drawings<br>See Plumbing<br>Drawings<br>Specification or<br>Special<br>Square<br>Stainless Steel<br>See Structural<br>Drawing<br>Service Sink<br>Standard<br>Steel<br>Storage<br>Structural<br>Sheet Vinyl | U.N.O.<br>Unless Noted<br>Otherwise<br>VAR.<br>Varies<br>V.C.T.<br>VEN.<br>VERT.<br>VEST.<br>V.G.D.F.<br>V.I.F.<br>VOL.<br>W<br>W.<br>W/<br>W/D<br>W.C.<br>WD.<br>W.H.<br>W/O<br>W.P.<br>W.S.C.T.<br>W.S.P.<br>WT.<br>WR.<br>WW. |  |
| A.C.<br>ACOUS.<br>A.D.<br>ADJ.<br>ADJAC.<br>A.F.F.<br>AGGR.<br>ALT.<br>ALUM.<br>APPROX<br>ARCH<br>A.S.R.B. | Air Conditioning or<br>Asphaltic Concrete<br>Acoustical<br>Area Drain<br>Adjustable<br>Adjacent<br>Above finish floor<br>Aggregate<br>Alternate<br>Aluminum<br>Approximate<br>Architectural<br>Architectural site<br>review board | D<br>DBL<br>DET.<br>DIA.<br>DIM.<br>DISP.<br>DN<br>DR.<br>DW.<br>DWR. | DRYER<br>Double<br>Duct<br>Diameter<br>Dimension<br>Dispenser<br>Down<br>Door<br>Dishwasher<br>Drawing<br>Drawer | G.<br>GA.<br>GALV.<br>G.T.<br>GEN.<br>G.F.I.<br>GL.<br>GND.<br>GR.<br>G.S.M.<br>GYP.                                                                           | Gas Outlet<br>Gauge<br>Galvanized<br>Garbage Disposal<br>General<br>Ground Fault<br>Interrupt<br>Glass<br>Ground<br>Grade<br>Galvanized Sheet<br>Metal<br>Gypsum                                                                                              | MACH.<br>MAINT.<br>MAT.<br>MAX.<br>M.B.<br>M.C.<br>M.D.O.<br>MECH.<br>MEMB.<br>MIL.<br>MFR.<br>MICRO<br>MIN.<br>MISC.<br>MID.<br>MUL.<br>(N)<br>N.<br>N.I.C.<br>NO. or #<br>NOM.<br>N.T.S.<br>O.A.<br>O.C.<br>O.D.<br>OPNG.<br>OPP. | Machine<br>Maintain<br>Material<br>Maximum<br>Machine Bolt<br>Medicine Cabinet<br>Minimum<br>Mechanical<br>Membrane<br>Metal<br>Manufacturer<br>Microwave<br>Minimum<br>Miscellaneous<br>Mounted<br>Mullion<br>New<br>North<br>Not In Contract<br>Number<br>Nominal<br>Not to Scale<br>Overall<br>On Center<br>Outside Diameter<br>(Dim.)<br>Opening<br>Opposite | R.<br>R.A.<br>RAD.<br>REC.<br>REF.<br>REFL.<br>REFR.<br>REG.<br>REINF.<br>REQ.<br>RESIL.<br>RET.<br>REV.<br>RM.<br>REMOV.<br>R.O.<br>RWD.<br>S.<br>S.C.<br>S.C.D.<br>S.D.<br>SCH.<br>SECT.<br>S.E.D.<br>SEP. | Riser<br>Return Air<br>Radius<br>Recessed<br>Reference<br>Reflected<br>Refrigerator<br>Register<br>Reinforced<br>Required<br>Resilient<br>Retaining<br>Revision/ Revised/<br>Reversed<br>Room<br>Removable<br>Rough Opening<br>Redwood<br>South<br>Solid Core<br>See Civil Drawings<br>Storm Drain, Soap<br>Dispenser/Dish<br>Schedule<br>Section<br>See Electrical<br>Drawings<br>Separation | T.<br>T.B.<br>T.B.D.<br>T.C.<br>TEL.<br>TEMP.<br>T.O.P.<br>T.O.P.<br>T.O. PLY<br>T.O.W.<br>TYP.<br>U.B.C.<br>UNEX.<br>UNF.                                                 | Tread<br>Towl Bar<br>To Be Determined<br>Top of Curb<br>Telephone<br>Tempered<br>Torque & Groove<br>Terrazzo<br>Thick<br>To Match Existing<br>Top of<br>Top of Concrete<br>Top of Plate<br>Top of Plywood<br>Top of Wall<br>Typical<br>Uniform Building<br>Code<br>Unexcavated<br>Unfinished                                                                 |                                                                                                                                                                                                                                  |  |

DRAWING INDEX

General

☒ A0.0 COVER SHEET

Civil Drawings

☒ DR01 OVERALL SITE PLAN  
☒ DR02 DEMOLITION PLAN  
☒ DR03 PROPOSED CONDITIONS PLAN  
☒ DR04 LAYOUT PLAN

Architectural Drawings

☒ A1.1 EXISTING SITE PLAN  
☒ A1.2 PROPOSED SITE PLAN  
☒ A2.1 FLOOR PLAN  
☒ A2.2 ROOF PLAN  
☒ A3.1 ELEVATIONS  
☒ A3.2 ELEVATIONS  
☒ A3.3 ELEVATIONS-MATERIALS  
☒ L2.1 PLANTING PLAN

CAPO 29

61 MAIN STREET  
SAINT HELENA, CA 94574  
APN: 009-434-011

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ARCHITECT:  
**KROEGER | JANEV**  
**ARCHITECTS**  
1627 Lincoln Avenue, Napa, CA 94558  
707.266.1962  
1540 Railroad Ave., Saint Helena, CA 94574

DRAWN BY: -

PROJECT No: 2022203

DATE: 05/01/2023

ISSUE: DESIGN REVIEW

07/10/2023 DR REV 1



# DESIGN REVIEW PLAN



APN  
009-434-012

APN  
000 424 007

TE PROPERTY LINE

APN  
009-434-008

### PROPOSED STORAGE

### PROPOSED STORAGE

APN  
009-434-009

PROPOSED  
RESTAURANT

APN  
009-434-011

APN  
009-434-010

OVERALL SITE PLAN

SCALE: 1" = 10'

0 10 20 Feet

FEMA FLOOD DATA:

THIS PROJECT IS NOT LOCATED WITHIN A FLOODWAY OR FLOODPLAIN PER FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 06055C0367E, DATED SEPTEMBER 26, 2008. ZONE "X" IS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN IN AN INCORPORATED AREA OF NAPA COUNTY.

PROJECT SUMMARY:

THE PURPOSE OF THIS PLAN IS TO PROVIDE INFORMATION TO REPLACE AN EXISTING RESTAURANT AND ASSOCIATED HARDSCAPE WITH A NEW RESTAURANT, HARDSCAPE, UTILITIES, AND LANDSCAPE IN ORDER TO OBTAIN PLANNING DEPARTMENT APPROVAL.



LOCATION MAP

NO SCALE

PROJECT INFORMATION:

PROPERTY OWNER:  
SULING CHEN CHIU  
50 SUMMERBROOKE CIRCLE  
NAPA, CA 94558

PROJECT APPLICANT:  
CAPO 29, LLC  
C/O BRUCE MARDER  
2215 WELLESLEY AVENUE  
LOS ANGELES, CA 90064  
(310) 699-9422  
PTS.FOOD1@GMAIL.COM

PROJECT ADDRESS:  
61 MAIN STREET  
SAINT HELENA, CA 94574

ASSESSOR'S PARCEL NUMBER:  
009-434-011

PARCEL SIZE:  
0.36± ACRES

PROJECT SIZE:  
0.36± ACRES

PARCEL ZONING:  
CS

PERMIT SET  
PLAN INDEX:

|      |         |                          |
|------|---------|--------------------------|
| DR01 | SHEET 1 | OVERALL SITE PLAN        |
| DR02 | SHEET 2 | DEMOLITION PLAN          |
| DR03 | SHEET 3 | PROPOSED CONDITIONS PLAN |
| DR04 | SHEET 4 | LAYOUT PLAN              |

REVISIONS:

WINE COUNTRY  
CIVIL ENGINEERING

176 MAIN STREET  
SUITE C/D  
ST. HELENA, CA 94574

707.986.5261 (o)  
WINECOUNTRYCIVILENGINEERING



07.12.202

CAPO 29  
DESIGN REVIEW  
OVERALL SITE PLAN

DATE: MAY 2023

PROJECT NO:

01.04

DRAWING NAME:  
DR01

# DRG

PL 23 - 024















SITE PICTURES:



② FRONT PARKING



④ SIDE YARD, NORTHWEST



⑥ REAR YARD, SOUTHWEST



⑧ PARKING LOT, LOOKING NORTH



① FRONT ELEVATION



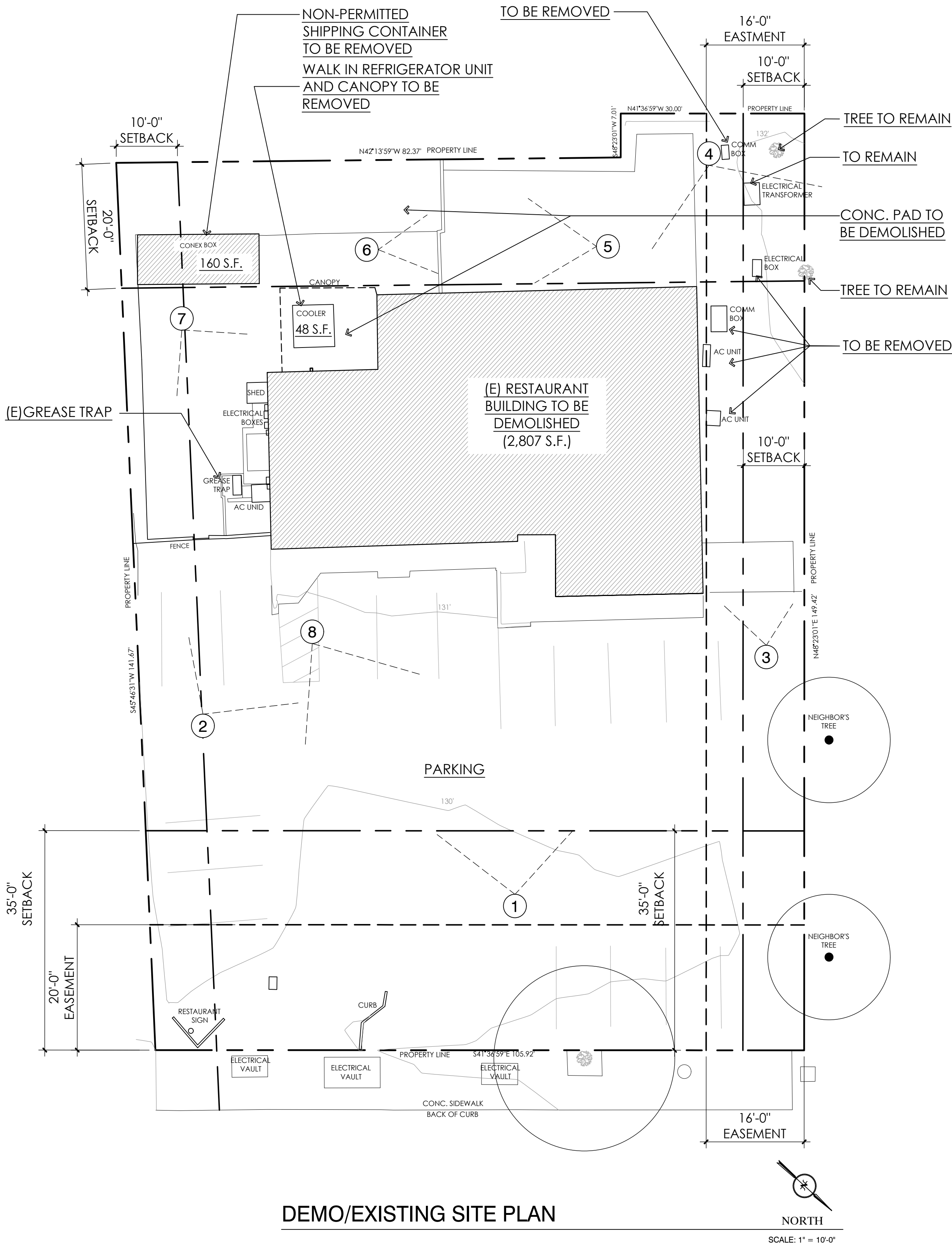
③ SIDE YARD, SOUTHWEST



⑤ REAR YARD, SOUTHEAST



⑦ SIDE YARD, EAST



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**CAPO 29**

61 MAIN STREET  
SAINT HELENA, CA 94574  
APN: 009-434-011

DRAWN BY: --

PROJECT No: **202203**

| DATE:      | ISSUE:        |
|------------|---------------|
| 05/01/2023 | DESIGN REVIEW |
| 07/10/2023 | DR REV 1      |
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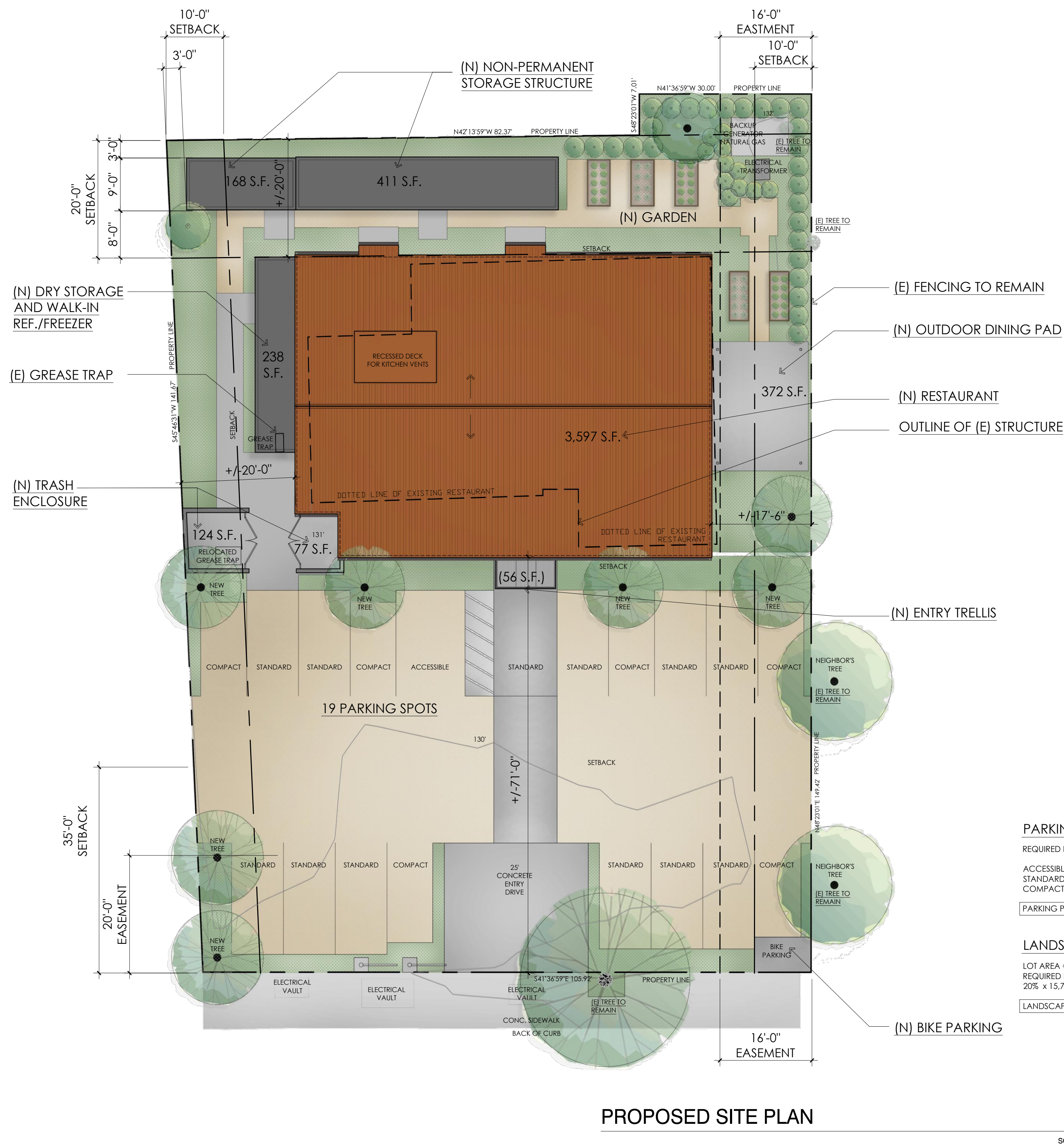
SHEET DESCRIPTION:

SITE PLANS

SCALE: 1" = 10'-0"

**A1.1**





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**CAPO 29**  
61 MAIN STREET  
SAINT HELENA, CA 94574  
APN: 009-434-011

DRAWN BY: -  
PROJECT No: 202203  
DATE: 05/01/2023  
ISSUE: DESIGN REVIEW  
07/10/2023  
DR REV 1

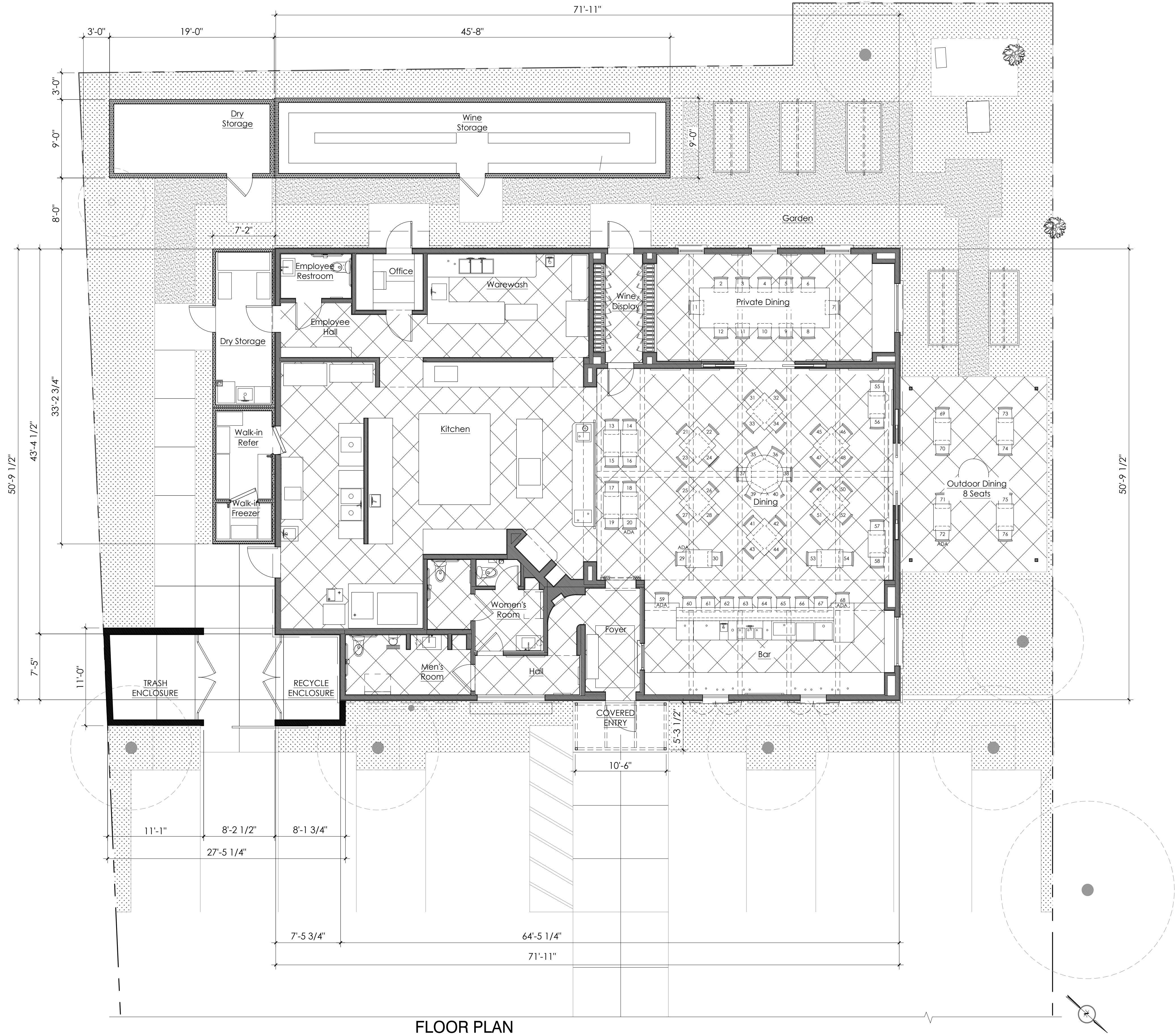
SHEET DESCRIPTION:  
PROPOSED SITE PLAN

SCALE: 1" = 10'-0"

**A1.2**



9/1/23 P:\2022\202203 Capo restaurant\1-Drawings\01-Current\2-Plan-202203-DR.dwg  
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|                |                  |
|----------------|------------------|
| SEATING COUNT: |                  |
| DINING AREA    | 46 SEATS         |
| PRIVATE DINING | 12 SEATS         |
| BAR            | 10 SEATS (2 ADA) |
| OUTDOOR DINING | 8 SEATS          |
| TOTAL SEATS    | 76 SEATS         |

|         |                             |
|---------|-----------------------------|
| LEGEND: |                             |
|         | INDICATES NEW 2x FRAMING    |
|         | INDICATES NEW METAL FRAMING |

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CAPO 29  
61 MAIN STREET  
SAINT HELENA, CA 94574  
APN: 009-434-011

DRAWN BY: --  
PROJECT No: 202203  
DATE: 05/01/2023  
07/10/2023  
ISSUE: DESIGN REVIEW  
DR REV 1

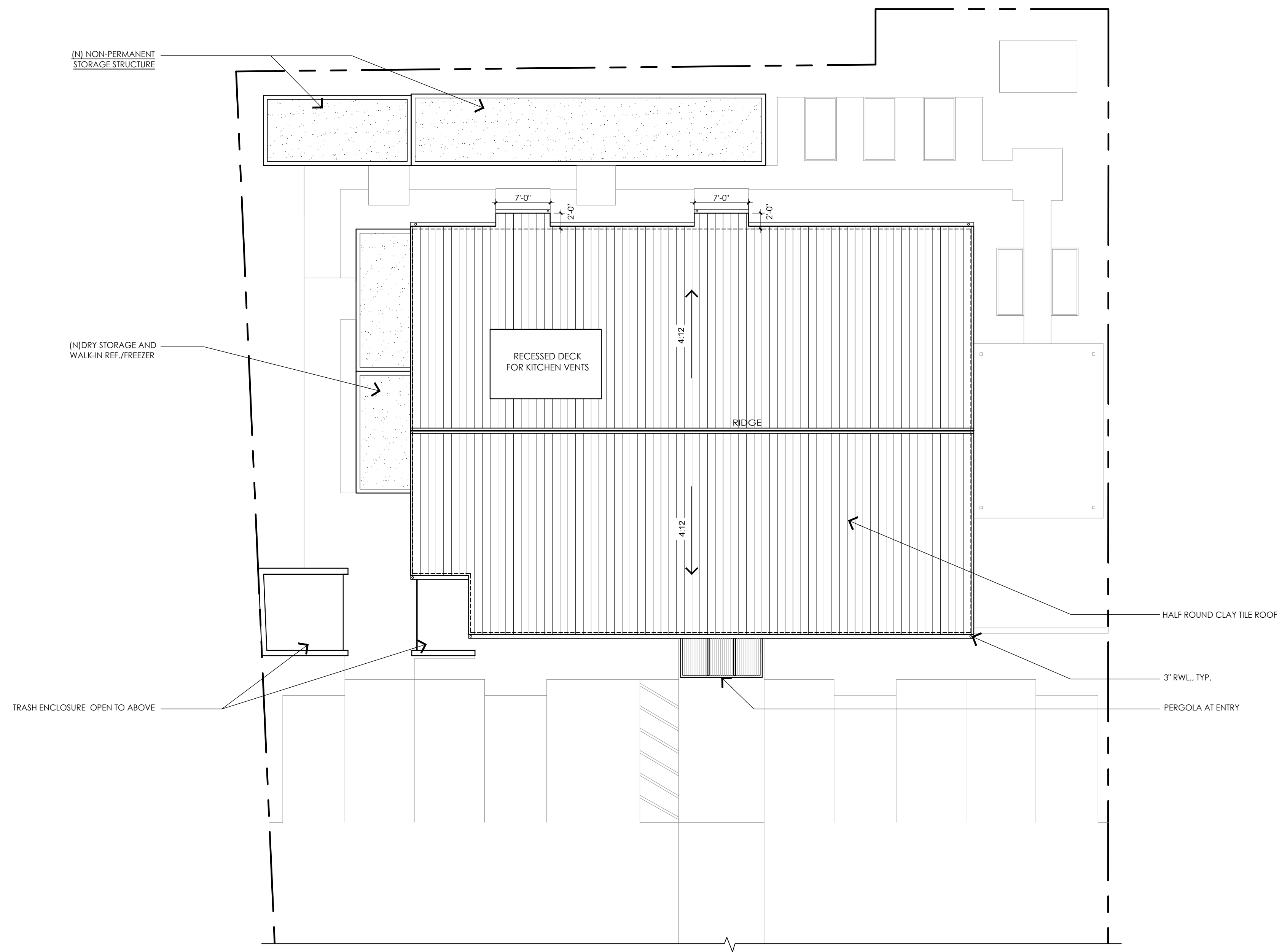
SHEET DESCRIPTION:  
FLOOR PLAN

SCALE: 3/16" = 1'-0"

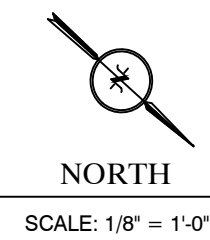
A2.1

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## ROOF PLAN



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**CAPO 29**  
61 MAIN STREET  
SAINT HELENA, CA 94554  
APN: 009-434-011

DRAWN BY: -

PROJECT No: 202203

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|------------|---------------|
| DATE:      | ISSUE:        |
| 05/01/2023 | DESIGN REVIEW |
| 07/10/2023 | DR REV 1      |

**SHEET DESCRIPTION:**

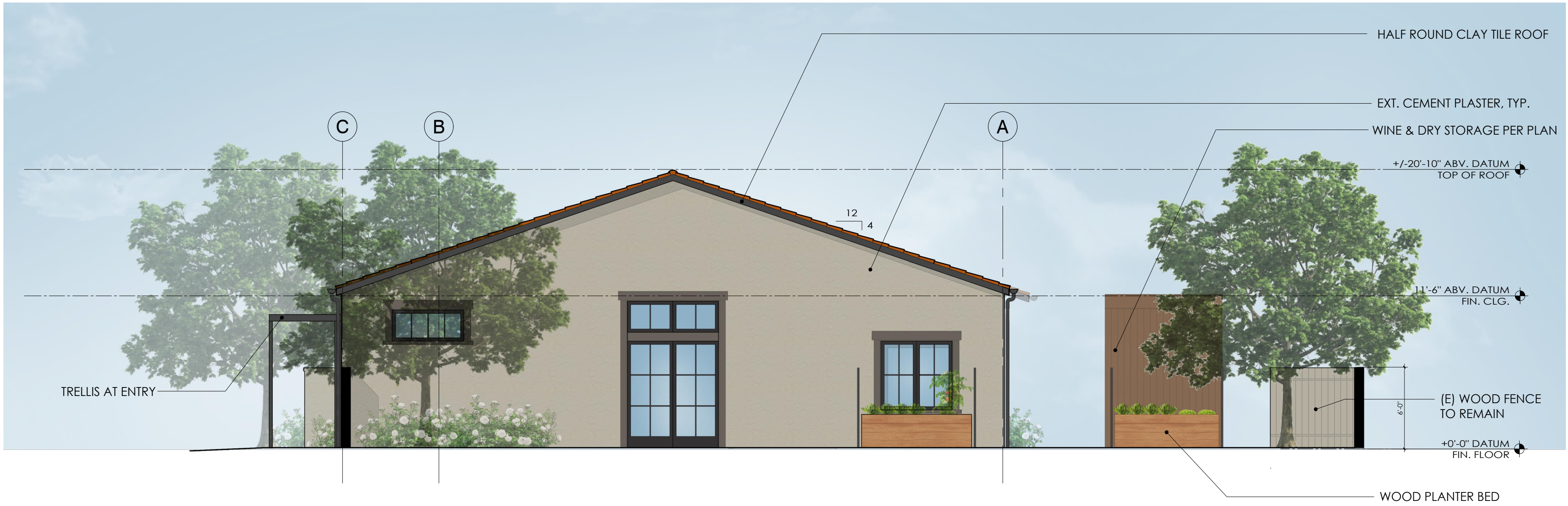
## ROOF PLAN

SCALE: 1/8" = 1'-0"

## A2.2



9/12/23 P:\2022\2022030 Capo restaurant\1-Drawings\01-Current\03-Seed Elev-202203-DR.dwg  
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NORTHWEST ELEVATION

SCALE: 3/16" = 1'-0"



NORTHEAST ELEVATION

SCALE: 3/16" = 1'-0"

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SAINT HELENA, CA 94574  
APN: 009-434-011

DRAWN BY: --

PROJECT No: 202203

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|------------|---------------|
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| 07/10/2023 | DR REV 1      |
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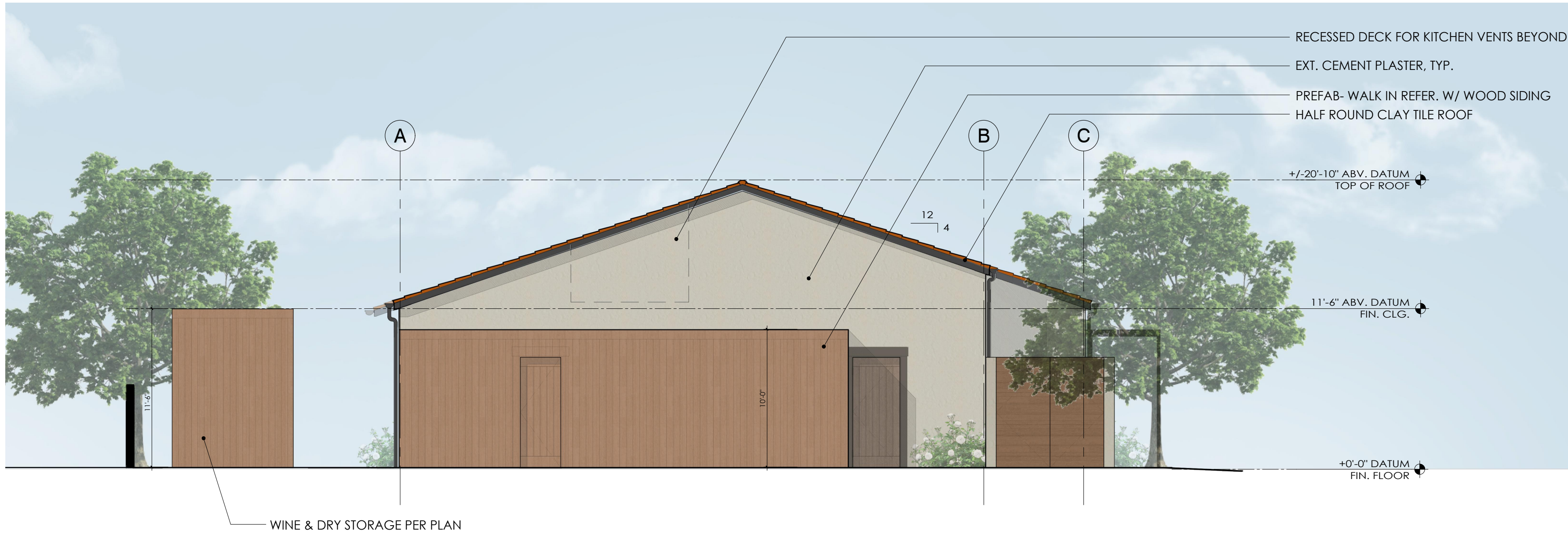
SHEET DESCRIPTION:

ELEVATIONS

SCALE: 3/16" = 1'-0"

**A3.1**





SOUTHEAST ELEVATION

SCALE: 3/16" = 1'-0"



SOUTHWEST ELEVATION

SCALE: 3/16" = 1'-0"

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SAINT HELENA, CA 94574  
APN: 009-434-011

DRAWN BY: --

PROJECT No: 202203

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|------------|---------------|
| 05/01/2023 | DESIGN REVIEW |
| 07/10/2023 | DR REV 1      |
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|            |               |

SHEET DESCRIPTION:

ELEVATIONS

SCALE: 3/16" = 1'-0"

**A3.2**





HALF ROUND CLAY  
TILE ROOF



CEMENT PLASTER  
WALLS



TRELLIS



WOOD WINDOWS

PAINTED SHUTTERS

WOOD PLANTER BEDS



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DATE: 05/01/2023 ISSUE: DESIGN REVIEW  
07/10/2023 DR REV 1

SHEET DESCRIPTION:  
EXTERIOR ELEVATION  
& MATERIALS

SCALE: NTS

**A3.3**



PLANT SCHEDULE

| TREES                | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
|----------------------|-----|---------------------------------------------|-------------------------------------|-----------|----------|---------------------------|
| LAG TUS              | 1   | LAGERSTROEMIA INDICA X FAURIEI 'TUSCARORA'  | TUSCARORA CRAPE MYRTLE              | 48" BOX   | LOW      | STANDARD                  |
| OLE SEV              | 1   | OLEA EUROPAEA 'SEVILLANO'                   | OLIVE 'SEVILLANO' MULTI-TRUNK       | FIELD DUG | VERY LOW | MULTI-TRUNK SPECIMEN      |
| PIS CHI              | 2   | PISTACIA CHINENSIS                          | CHINESE PISTACHE                    | 36" BOX   | LOW      | STANDARD                  |
| FRU LAU              | 4   | PRUNUS LAUROCERASUS                         | ENGLISH LAUREL                      | 48" BOX   | MODERATE | STANDARD                  |
| FRUIT TREES          | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| CIT BEA              | 1   | CITRUS X LATIFOLIA 'BEARSS SEEDLESS'        | BEARSS SEEDLESS LIME                | 24" BOX   | MODERATE | STANDARD                  |
| CIT EUR              | 2   | CITRUS X LIMON 'EUREKA'                     | EUREKA LEMON                        | 24" BOX   | MODERATE | STANDARD                  |
| CIT MEX              | 1   | CITRUS X AURANTIIFOLIA 'MEXICAN'            | KEY LIME                            | 24" BOX   | MODERATE | STANDARD                  |
| CIT MYR              | 1   | CITRUS X LIMON 'MEYER'                      | MEYER LEMON                         | 24" BOX   | MODERATE | STANDARD                  |
| CIT VAL              | 1   | CITRUS X SINENSIS 'VALENCIA'                | SWEET ORANGE                        | 24" BOX   | MODERATE | STANDARD                  |
| CIT WNV              | 1   | CITRUS X SINENSIS 'WASHINGTON'              | WASHINGTON NAVEL ORANGE             | 24" BOX   | MODERATE | STANDARD                  |
| FEL SEL              | 1   | FEIJOA SELLOWIANA                           | PINEAPPLE GUAVA                     | 24" BOX   | MODERATE | STANDARD                  |
| FIC MIS              | 1   | FIGUS CARICA 'MISSION'                      | MISSION FIG                         | 24" BOX   | MODERATE | STANDARD                  |
| FIC PAN              | 1   | FIGUS CARICA 'PANACHE'                      | PANACHE VARIEGATED FIG              | 24" BOX   | MODERATE | STANDARD                  |
| FRU TBD              | 1   | PRUNUS TO BE DETERMINED                     | PEACH TBD                           | 24" BOX   | MODERATE | STANDARD                  |
| PUN WON              | 2   | PUNICA GRANATUM 'WONDERFUL'                 | WONDERFUL POMEGRANATE               | 24" BOX   | LOW      | STANDARD                  |
| SHRUBS               | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| BUX BE2              | 20  | BUXUS MICROPHYLLA JAPONICA 'GREEN BEAUTY'   | GREEN BEAUTY JAPANESE BOXWOOD       | 5 GAL     | MODERATE | HEDGE                     |
| BUX BEA              | 7   | BUXUS MICROPHYLLA JAPONICA 'GREEN BEAUTY'   | GREEN BEAUTY BOXWOOD TOPIARY GLOBES | 3" X 3'   | MODERATE | HEDGE FORM, LOW BRANCHING |
| CIT MEY              | 9   | CITRUS X LIMON 'MEYER'                      | MEYER LEMON                         | 15 GAL    | MODERATE | ON STAKE                  |
| LIG TEX              | 36  | LIGUSTRUM JAPONICUM 'TEXANUM'               | TEXAS JAPANESE PRIVET               | 5 GAL     | LOW      | LOW HEDGE                 |
| ROS COL              | 28  | ROSMARINUS OFFICINALIS 'COLLINGWOOD INGRAM' | COLLINGWOOD INGRAM ROSEMARY         | 5 GAL     | MODERATE | LOW HEDGE                 |
| VIB SP2              | 2   | VIBURNUM TINUS 'SPRING BOUQUET'             | SPRING BOUQUET LAURUSTINUS          | 5 GAL     | MODERATE | LOW HEDGE                 |
| VIB SPR              | 20  | VIBURNUM TINUS 'SPRING BOUQUET'             | SPRING BOUQUET LAURUSTINUS          | 15 GAL    | MODERATE | LOW HEDGE                 |
| ANNUALS              | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| FEL TBD              | 7   | PERLARGONIUM TO BE DETERMINED               | GERANIUM TBD                        | 1 GAL     | MODERATE | COLOR TBD                 |
| ESPALIER FRUIT TREES | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| FIC MIS              | 1   | FIGUS CARICA 'MISSION'                      | ESPALIER MISSION FIG                | 24" BOX   | MODERATE | STANDARD                  |
| FRU TBD              | 4   | ESPALIER FRUIT TREE TO BE DETERMINED        | ESPALIER FRUIT TREE TBD             | 15 GAL    | MODERATE | STANDARD                  |
| GRASSES              | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| PEN ORI              | 59  | PENNISETUM ORIENTALE                        | ORIENTAL FOUNTAIN GRASS             | 1 GAL     | MODERATE | STRAIGHT                  |
| PERENNIALS           | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| ERI KAR              | 44  | ERIGERON KARVINSKIANUS                      | SANTA BARBARA DAISY                 | 1 GAL     | LOW      | STANDARD                  |
| SAL AMI              | 6   | SALVIA X 'AMISTAD'                          | FRIENDSHIP AMISTAD BLUE SALVIA      | 5 GAL     | MODERATE | STANDARD                  |
| SAL BLB              | 4   | SALVIA GUARANITICA 'BLACK & BLUE'           | BLACK & BLUE SAGE                   | 5 GAL     | MODERATE | STANDARD                  |
| VINES                | QTY | BOTANICAL NAME                              | COMMON NAME                         | CONT      | WELO     | REMARKS                   |
| PAR TRI              | 10  | PARTHENOCISSUS TRICUSPIDATA                 | BOSTON IVY                          | 5 GAL     | LOW      | STANDARD                  |

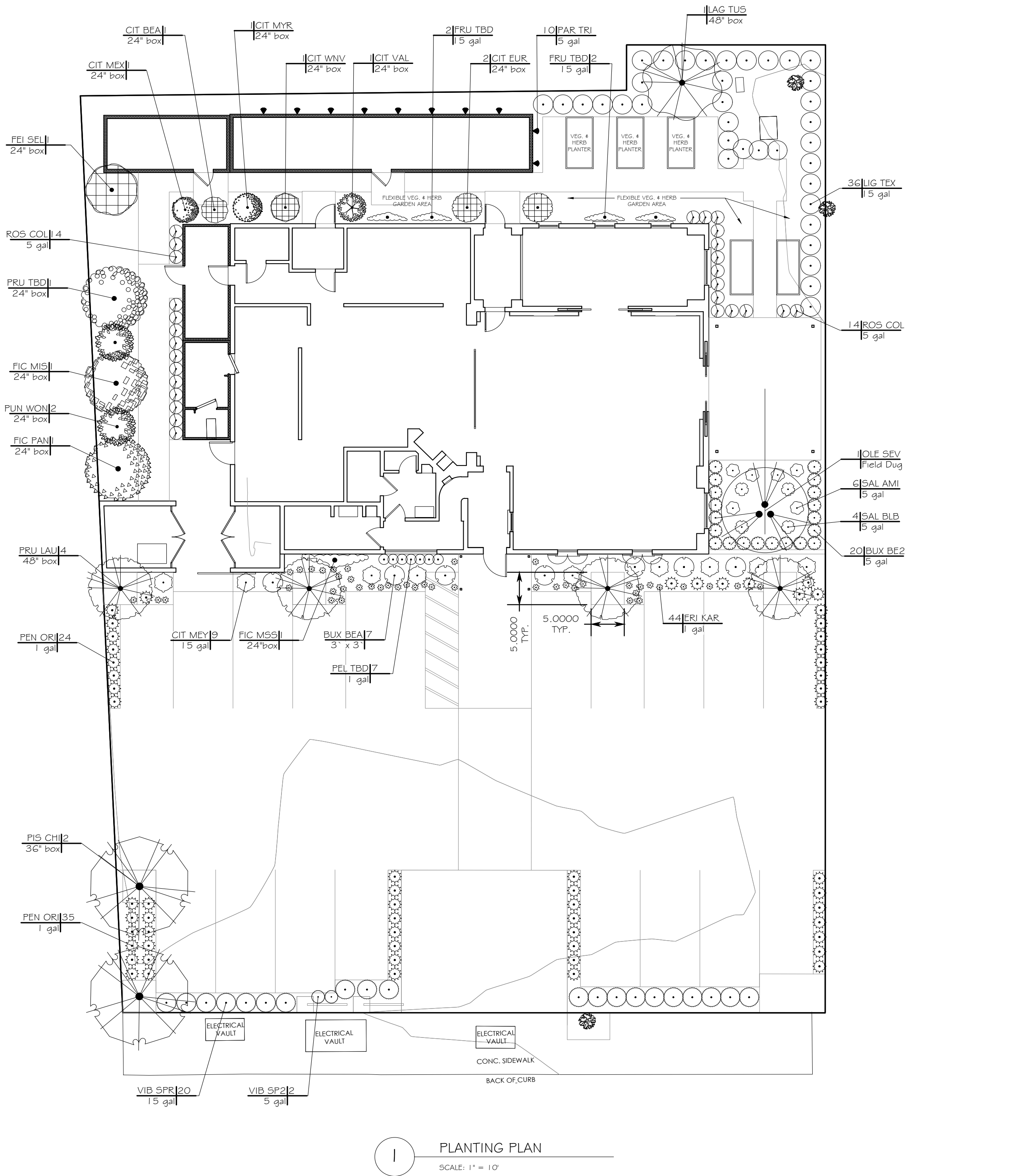
Capo Restaurant  
61 Main street, St. Helena, CA

Section B. Water Efficient Landscape Worksheet  
Based on planting plans dated 3/1/2023

Reference Evapotranspiration (ETol) 44.1

| Symbol                                 | Hydrozone / Planting Description            | WUCOLS   | Zone Plant Factor | Irrigation Method | Irrigation Efficiency (IE) | ETAF (PT/IE) | Landscape Area (sq. ft.) | ETAF x Area                                      | Estimated Total Water Use (ETWU) |
|----------------------------------------|---------------------------------------------|----------|-------------------|-------------------|----------------------------|--------------|--------------------------|--------------------------------------------------|----------------------------------|
| <b>Regular Landscape Areas</b>         |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| <b>TREES</b>                           |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| LAG TUS                                | LAGERSTROEMIA INDICA X FAURIEI 'TUSCARORA'  | LOW      | 0.3               | Drip              | 0.81                       | 0.37         | 115                      | 43                                               | 1,185                            |
| OLE SEV                                | OLEA EUROPAEA 'SEVILLANO'                   | VERY LOW | 0.1               | Drip              | 0.81                       | 0.12         | 130                      | 16                                               | 429                              |
| PIS CHI                                | PISTACIA CHINENSIS                          | LOW      | 0.3               | Drip              | 0.81                       | 0.37         | 354                      | 131                                              | 3,585                            |
| FRU LAU                                | PRUNUS LAUROCERASUS                         | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 280                      | 207                                              | 5,671                            |
| <b>SHRUBS</b>                          |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| BUX BE2                                | BUXUS MICROPHYLLA JAPONICA 'GREEN BEAUTY'   | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 40                       | 30                                               | 810                              |
| BUX BEA                                | BUXUS MICROPHYLLA JAPONICA 'GREEN BEAUTY'   | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 49                       | 36                                               | 992                              |
| CIT MEY                                | CITRUS X LIMON 'MEYER'                      | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 63                       | 47                                               | 1,276                            |
| LIG TEX                                | LIGUSTRUM JAPONICUM 'TEXANUM'               | MODERATE | 0.3               | Drip              | 0.81                       | 0.37         | 252                      | 93                                               | 2,552                            |
| ROS COL                                | ROSMARINUS OFFICINALIS 'COLLINGWOOD INGRAM' | LOW      | 0.6               | Drip              | 0.81                       | 0.74         | 84                       | 62                                               | 1,761                            |
| VIB SP2                                | VIBURNUM TINUS 'SPRING BOUQUET'             | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 6                        | 4                                                | 122                              |
| VIB SPR                                | VIBURNUM TINUS 'SPRING BOUQUET'             | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 140                      | 104                                              | 2,835                            |
| <b>ANNUALS</b>                         |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| FEL TBD                                | PERLARGONIUM TO BE DETERMINED               | MODERATE | 0.6               | Drip              | 0.81                       | 0.74         | 14                       | 10                                               | 284                              |
| <b>GRASSES</b>                         |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| PEN ORI                                | PENNISETUM ORIENTALE                        | MODERATE | 0.6               | Drip              | 0.81                       | 0.37         | 177                      | 66                                               | 3,585                            |
| <b>PERENNIALS</b>                      |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| ERI KAR                                | ERIGERON KARVINSKIANUS                      | LOW      | 0.3               | Drip              | 0.81                       | 0.37         | 44                       | 18                                               | 446                              |
| SAL AMI                                | SALVIA X 'AMISTAD'                          | MODERATE | 0.6               | Drip              | 0.81                       | 0.37         | 18                       | 7                                                | 365                              |
| SAL BLB                                | SALVIA GUARANITICA 'BLACK & BLUE'           | MODERATE | 0.6               | Drip              | 0.81                       | 0.37         | 12                       | 4                                                | 243                              |
| <b>VINES</b>                           |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| PAR TRI                                | PARTHENOCISSUS TRICUSPIDATA                 | LOW      | 0.3               | Drip              | 0.81                       | 0.37         | 10                       | 4                                                | 101                              |
| <b>TOTALS:</b>                         |                                             |          |                   |                   |                            |              | <b>1,788</b>             | <b>880</b>                                       | <b>26,171</b>                    |
| <b>Special Landscape Areas</b>         |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| <b>FRUIT TREES</b>                     |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| CIT BEA                                | CITRUS X LATIFOLIA 'BEARSS SEEDLESS'        | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 12                       | 12                                               | 243                              |
| CIT EUR                                | CITRUS X LIMON 'EUREKA'                     | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 24                       | 24                                               | 486                              |
| CIT MEX                                | CITRUS X AURANTIIFOLIA 'MEXICAN'            | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 12                       | 12                                               | 243                              |
| CIT MYR                                | CITRUS X LIMON 'MEYER'                      | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 12                       | 12                                               | 243                              |
| CIT VAL                                | CITRUS X SINENSIS 'VALENCIA'                | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 12                       | 12                                               | 243                              |
| CIT WNV                                | CITRUS X SINENSIS 'WASHINGTON'              | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 12                       | 12                                               | 243                              |
| FEL SEL                                | FEIJOA SELLOWIANA                           | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 50                       | 50                                               | 1,013                            |
| FIC MIS                                | FIGUS CARICA 'MISSION'                      | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 50                       | 50                                               | 1,013                            |
| FIC PAN                                | FIGUS CARICA 'PANACHE'                      | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 50                       | 50                                               | 1,013                            |
| FRU TBD                                | PRUNUS TO BE DETERMINED                     | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 50                       | 50                                               | 1,013                            |
| PUN WON                                | PUNICA GRANATUM 'WONDERFUL'                 | LOW      | 0.3               | Drip              | 0.81                       | 1.00         | 60                       | 60                                               | 608                              |
| <b>ESPALIER FRUIT TREES</b>            |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| FIC MIS                                | FIGUS CARICA 'MISSION'                      | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 5                        | 5                                                | 101                              |
| FRU TBD                                | ESPALIER FRUIT TREE TO BE DETERMINED        | MODERATE | 0.6               | Drip              | 0.81                       | 1.00         | 20                       | 20                                               | 405                              |
| <b>VEGETABLE AND HERB GARDEN AREAS</b> |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| <b>TOTALS:</b>                         |                                             |          |                   |                   |                            |              | <b>789</b>               | <b>369</b>                                       | <b>14,967</b>                    |
| <b>ETAF Calculations</b>               |                                             |          |                   |                   |                            |              |                          |                                                  |                                  |
| <b>Regular Landscape Areas</b>         |                                             |          |                   |                   |                            |              | <b>880</b>               | <b>ETWU Total =</b>                              | <b>41,138</b>                    |
| <b>Total ETAF x Area</b>               |                                             |          |                   |                   |                            |              | <b>1,788</b>             | <b>Maximum Applied Water Allowance (MAWA)* =</b> | <b>45,128</b>                    |
| <b>Total Area</b>                      |                                             |          |                   |                   |                            |              | <b>0.49</b>              | <b>Average ETAF</b>                              |                                  |
| <b>All Landscape Areas</b>             |                                             |          |                   |                   |                            |              | <b>880</b>               | <b>Total ETAF x Area</b>                         |                                  |
| <b>Total ETAF x Area</b>               |                                             |          |                   |                   |                            |              | <b>1,788</b>             | <b>Total Area</b>                                |                                  |
| <b>Average ETAF</b>                    |                                             |          |                   |                   |                            |              | <b>0.49</b>              | <b>Average ETAF</b>                              |                                  |

NOTE:  
CALCULATION BASED ON NUMBER OF PLANTS REQUIRING IRRIGATION.  
TOTAL AREA NOT EQUAL TO TOTAL LANDSCAPE AREA



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**CAPO 29**

61 MAIN STREET  
SAINT HELENA, CA 94574  
APN: 009-434-011

DRAWN BY:

PROJECT No: 202203

DATE: 05/01/2023

ISSUE: DESIGN REVIEW

07/10/2023 DR REV 1

SHEET DESCRIPTION:

PLANTING PLAN

SCALE:

**L2.1**

**REVISED**

8:58 am, Jul 13, 2023


**BRUNZELL**  
 HISTORICAL

June 30, 2023

Sasha Janev  
 Kroeger-Janev Architects  
 1432 Main Street  
 St. Helena, California 94574

Subject: Proposal for a Preliminary Memorandum and Historic Evaluation of 61 Main Street, St. Helena, Napa County, California.

Dear Kent,

This letter and the attached DPR 523 forms comprise the Historic Resource Evaluation of 61 Main Street, St. Helena, Napa, Napa County, California.

### **Methodology**

Brunzell Historical personnel conducted a site visit on June 17, 2023. The site visit included collecting photographs of all elevations of the building, parcel, and neighborhood setting. Staff conducted research through the Napa County Assessor Recorder as well as online research at Ancestry.com, Newspapers.com, and other websites in order to discover relevant historic contexts and land-use history of the property. The property was evaluated according to the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) criteria for historic eligibility and documented on DPR 523 forms as required by the California Environmental Quality Act as (CEQA).

### **Summary of Findings**

Because the property is over 50 years old, potential projects trigger a requirement for historical evaluation under the California environmental quality act (CEQA). Because this work was completed pursuant to CEQA, all resources discovered during the field survey were evaluated for CRHR eligibility. The property was also evaluated for NRHP eligibility. The study did not reveal any architectural or historical significance, and the property is recommended ineligible for historic listing.

### **National Register of Historic Places**

In conjunction with the following NRHP criteria, sites must be assessed for integrity of location, design, setting, materials, workmanship, feeling, and association. A site may be considered eligible to the NRHP if it retains sufficient integrity of the elements listed above and it:

- A. is associated with events that have made a significant contribution to the broad patterns of our history;
- B. is associated with the lives of persons significant in our past;
- C. embodies the distinctive characteristics of a type, period, or method of construction, represents the work of a master, possesses high artistic values, or represents a significant or distinguishable entity whose components may lack individual distinction;



- D. yields, or may be likely to yield, information important to the prehistory or history of the area/region.

### **California Register of Historical Resources**

The CRHR criteria are based on NRHP criteria. For a property to be eligible for inclusion on the CRHR, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the CRHR requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). Fifty years is normally considered sufficient time for a potential historical resource, and in order that the evaluation remains valid for a minimum of five years after the date of this report, all resources older than 45 years will be evaluated. The CRHR also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

### **Evaluation**

Criterion A/1: The property at 61 Main Street is not associated with events that have made a significant contribution to the broad patterns of our history. The property is generally associated with the commercial development of St. Helena in the mid-twentieth century. The building appears to have been developed for use as highway-adjacent retail. Research has not revealed that the property is significant within the context of commercial development in the 1960s or with any other historic context. Therefore, the property is recommended not eligible to the NRHP or CRHR under Criterion A/1.

Criterion B/2: The property is not associated with the life of persons important to our history. The families who operated businesses on the property were not significant contributors to St. Helena's development, and research has revealed no important professional accomplishments or lasting impact on local history. It was a retail store and then housed various restaurants and lacks association with any known important persons. The property is recommended not eligible to the NRHP or CRHR under Criterion B/2.

Criterion C/3: The property is not significant for its architecture. Research has revealed no evidence that it was designed by an architect or by an important local contractor, nor does it exhibit the design elements present in architectural landmarks. The building is an unremarkable example of a c1960 commercial/residential building in St. Helena. It lacks decorative features or references to a particular architectural style, and it is not an outstanding example of vernacular architecture. For

these reasons, the property is recommended not eligible to the NRHP or CRHR under Criterion C/3.

Criterion D/4: In rare instances, buildings themselves can serve as sources of important information about historic construction materials or technologies and be significant under Criterion D/4. 61 Main Street is an example of a well-understood type of construction and does not appear to be a principal source of important information in this regard.

The property is recommended not eligible for listing on the NRHP or CRHR and does not qualify as a historical resource pursuant to CEQA.

#### **Evaluator Qualifications**

I meet the Secretary of Interior's Professional Qualifications for both History and Architectural History. I hold a Master's degree in Public History and have worked in multiple facets of historic preservation and cultural resource evaluation since 2007. My experience includes municipal preservation planning and working as the lead staff member of a non-profit preservation organization. Since 2012, I have worked full-time as a historical consultant, completing dozens of evaluations for CEQA and Section 106 compliance. Additionally, I have completed local and national register nominations, historic context statements, and Historic It American Engineering Record recordation. The North Bay is the center of my practice, but I frequently work in the greater Sacramento area and other parts of the Bay Area, and have also completed projects in Southern California, Nevada, Oregon, New York, and Puerto Rico. In addition to my work with historic-period domestic, agricultural, and commercial properties for private clients, I have prepared reports on post offices, military bases, university campuses, hospitals, church properties, national parks, and a NASA site. I am listed as a Historian and Architectural Historian on the California Office of Historic Preservation's roster of qualified consultants for every county in California.

Please contact me by phone at 707/290-2918 or e-mail at [kara.brunzell@yahoo.com](mailto:kara.brunzell@yahoo.com) with any questions or comments.

Sincerely,



Kara Brunzell, M.A.  
Brunzell Historical

**State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
PRIMARY RECORD**

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

Trinomial \_\_\_\_\_

NRHP Status Code \_\_\_\_\_

Other Listings \_\_\_\_\_

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 8

\*Resource Name or # (Assigned by recorder) 61 Main Street

**P1. Other Identifier:** Golden Harvest Restaurant

\*P2. Location: ☐ Not for Publication ☒ Unrestricted

\*a. County Napa

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad St. Helena Date 1951 T 7N ; R 5W ; 1/4 of Sec \_\_\_\_\_ ; \_\_\_\_\_ B.M.

c. Address 61 Main Street City St. Helena Zip 94574

d. UTM: (give more than one for large and/or linear resources) Zone \_\_\_\_\_ ; \_\_\_\_\_mE/ \_\_\_\_\_mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) APN 009-434-011-000

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The 0.36-acre parcel is located in a commercial-residential neighborhood on the southeast end of Main Street in Saint Helena. It consists of a paved parking lot at the northeast (adjacent to St. Helena Highway) and a small building utilized as a restaurant to its southwest. The building is irregular in plan, with a slightly wider volume at its north end. It has a side-gabled roof with metal vents on the gable ends and exposed rafter tails at the eaves. The building is clad in a combination of board-and-batten, vertical-groove plywood, and both vertical and horizontal wood siding. The south end of the building has a small second floor; it features a sign advertising the restaurant name, "Golden Harvest" on the main façade (northeast) with various types of windows on side and rear elevations. The main entrance on the primary elevation is left of center and fitted with a fully glazed aluminum door. It is accessed by a wide concrete step and sheltered by the narrow leaves of the building. A secondary entrance in the north volume is fitted with a hollow-core paneled interior-type door. There are three additional entrances on side and rear elevations. Fenestration consists of large fixed picture windows on the restaurant and aluminum sliding -sash windows on the rear addition. A large HVAC unit near the south end of the roof is enclosed in latticed screening. Building services and conduit have been installed on the exterior. There is a shed-roof water heater enclosure on the southeast elevation. Restaurant equipment including refrigerators is installed in a covered patio near the south end of the building. A rear patio near the north end of the building is accessed via a set of glazed double doors from what appears to be a residential area of the building. The building is in fair condition with some visible areas of peeling paint and wood rot.

\*P3b. Resource Attributes: (List attributes and codes) HP6., 1-3 Story commercial building; HP2., Single family property.

\*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #) Photograph 1: 61 Main Street, northeast elevation, camera facing southwest, June 17, 2023.

\*P6. Date Constructed/Age and Sources:

☒ Historic ☐ Prehistoric ☐ Both

1960, Napa County Assessor

\*P7. Owner and Address:

Bruce Marder

2215 Wellesley Avenue

Los Angeles, CA, 900064

\*P8. Recorded by: (Name, affiliation, address)

Kara Brunzell

Brunzell Historical

1613 B St

Napa, CA 94559

\*P9. Date Recorded: June 17, 2023

\*P10. Survey Type: (Describe) Intensive

\*P11. Report Citation: (Cite survey report and other sources, or enter "none.") none

\*Attachments: NONE ☒ Location Map ☐ Sketch Map ☒

Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record

☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record

☐ Other (list) \_\_\_\_\_

DPR 523A (1/95)

\*Required Information



State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_

Page 2 of 8

\*NRHP Status Code 6Z

\*Resource Name or # (Assigned by recorder) 61 Main Street

B1. Historic Name: Coughran's Floor Coverings

B2. Common Name: 61 Main Street

B3. Original Use: commercial B4. Present Use: commercial

\*B5. Architectural Style:

\*B6. Construction History: (Construction date, alteration, and date of alterations) Original construction, c1960  
North addition constructed, c1970s (between 1968-1982)

\*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: \_\_\_\_\_ Original Location: \_\_\_\_\_

\*B8. Related Features: \_\_\_\_\_

B9. Architect: unknown b. Builder: unknown

\*B10. Significance: Theme N/A Area N/A

Period of Significance N/A Property Type N/A Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

B11. Additional Resource Attributes: (List attributes and codes)

\*B12. References:

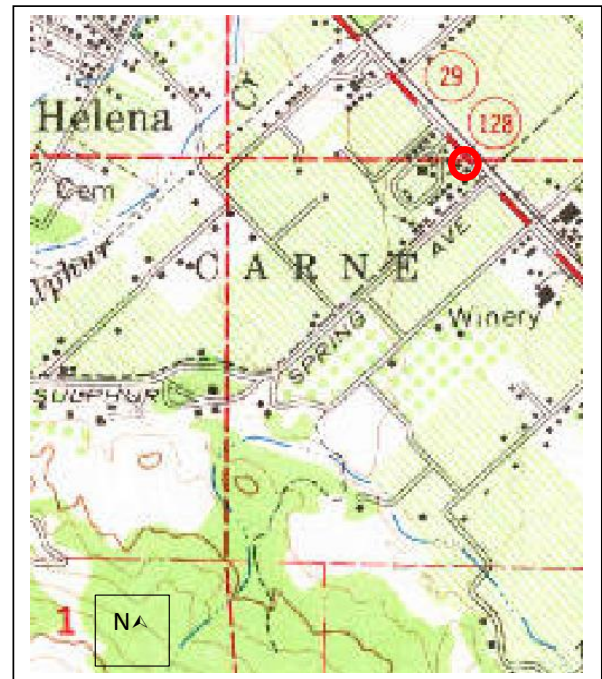
(See Footnotes)

B13. Remarks:

\*B14. Evaluator: Kara Brunzell

\*Date of Evaluation: June 17, 2023

(This space reserved for official comments.)



State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

Page 3 of 8      \*Resource Name or # (Assigned by recorder) 61 Main Street

\*Recorded by Kara Brunzell      \*Date: June 17, 2023 ☒ Continuation    ☐ Update

\*P3a. Description: (continued):



Photograph 2: 61 Main Street, northwest elevation, camera facing east, June 17, 2023.



Photograph 3: 61 Main Street, southwest elevation, camera facing northeast, June 17, 2023.

DPR 523B (1/95)

\*Required Information



State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

Primary # \_\_\_\_\_  
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Trinomial \_\_\_\_\_

Page 4 of 8      \*Resource Name or # (Assigned by recorder) 61 Main Street  
\*Recorded by Kara Brunzell      \*Date: June 17, 2023 ☒ Continuation    ☐ Update



Photograph 4: 61 Main Street, southwest elevation, camera facing northeast, June 17, 2023.



Photograph 5: 61 Main Street, southwest elevation, camera facing northeast, June 17, 2023.

DPR 523B (1/95)

\*Required Information



State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
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Trinomial \_\_\_\_\_

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\*Recorded by Kara Brunzell      \*Date: June 17, 2023 ☒ Continuation    ☐ Update



Photograph 6: 61 Main Street, southeast elevation, camera facing northwest, June 17, 2023.

**B10. Significance (continued):**

St. Helena

The first European to settle in the St. Helena area was Dr. Edward Bale, an English physician who received the Carne Humana rancho as a grant from the Mexican government in 1839. The huge land grant encompassed northern Napa Valley, including what would become the towns of Calistoga and St. Helena. California statehood in 1850 drew land speculators to Napa Valley, and in the early 1850s Henry Still purchased 100 acres on the north side of Sulphur Creek from Bale. In partnership with Charles Walter, Still erected the first building in St. Helena in 1853, and by the middle of the decade Still and Walter were donating Main Street lots to anyone who would agree to open a business.<sup>1</sup>

Early agricultural activities in Napa Valley focused on cattle-grazing and grain production, but beginning in the late 1850s farmers began experimenting with wine grapes. St. Helena's position as a center of agriculture was consolidated when the railroad arrived in 1868. By the 1870s, much of the land surrounding the growing village had been converted to wine production. St. Helena was incorporated as a city in 1876 and reincorporated in 1889.<sup>2</sup>

The population of Napa Valley doubled between 1870 and 1880, and by 1880, St. Helena was home to 1,500 residents. The St. Helena district, (the area between Yountville and St. Helena), by this time had 7,000 acres of grapevines. As the nineteenth century progressed, St. Helena became the upper valley's most important shipping and commercial center. It also became more diverse as Chinese and then German and Italian immigrants arrived to work in the vineyards.<sup>3</sup>

<sup>1</sup> Lyman L. Palmer, *History of Napa and Lake Counties, California*, San Francisco: Slocum, Bowen, & Company, 1881, p. 55. 333; C. A. Menefee, *Historical and Descriptive Sketchbook of Napa, Sonoma, Lake and Mendocino*, Napa City: Reporter Publishing House, 1873, p. 186.

<sup>2</sup> City of St. Helena, *Historic Resources Inventory*, Prepared by Page & Turnbull, Inc., August, 2006, p. 7; Palmer, p.335.

<sup>3</sup> William F. Heinz, *Wine Country, A History of Napa Valley*, Capra Press, Santa Barbara: 1990, p. 162; City of St. Helena, p. 8.

**State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET**

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**HRI #** \_\_\_\_\_  
**Trinomial** \_\_\_\_\_

**Page 6 of 8**      **\*Resource Name or # (Assigned by recorder)** 61 Main Street

**\*Recorded by** Kara Brunzell

**\*Date:** June 17, 2023 ☒ Continuation ☐ Update

Napa Valley was America's premier wine region by 1890, but a downturn in prices and an infestation of the phylloxera root louse nearly destroyed the wine industry at the turn of the century. Many growers pulled out wine grapes in the early decades of the twentieth century, replacing them with prunes and walnuts. In 1919, the wine business suffered a further blow when the Volstead Act outlawed the production of alcohol. Only a few local wineries were able to survive Prohibition by producing sacramental wine, and the industry did not begin to recover until after World War II.<sup>4</sup>

Ironically, the modern wine tourism industry was born during Prohibition, when Bay Area residents began driving up to Napa to buy illegal wine. Modern St. Helena is a center of both the Napa Valley wine business and the local wine tourism industry.<sup>5</sup>

**61 Main Street**

The building at 61 Main Street was constructed about 1960. The owners of the property during the mid-twentieth century were Elmer Coughran (1892-1981) and his wife, Katherine Coughran (1894-1992). Kate and Elmer married in 1913 and had a daughter named Ramona and a son named Finley Ross (F. Ross) while living in Texas. Coughran was an Assemblies of God pastor in Texas, California, and Oregon. He established the Full Gospel First Assembly of God in Salem, Oregon before coming to California in the late 1940s and leading the Assembly of God in St. Helena. The parcel at 61 Main Street was originally connected to Assemblies of God holdings in St. Helena that consisted of the Assembly of God Church (constructed 1935), cabins, and camp sites that were used for annual church events such as regional camp meetings. The Coughrans purchased the property (except for the church building itself) in 1948, when the Assembly of God organization acquired a large property in Santa Cruz for its revival meetings. In 1949, Elmer and Katherine Coughran deeded the property back to the Assemblies of God of St. Helena, although Coughran continued to manage the property. Coughran subdivided in 1955 and eventually developed the St. Helena Auto Park, El Bonita subdivision, and the El Bonita Motel (or "Autel" as it was known in the 1950s). In 1964, the Assemblies of God of St. Helena sold the subject parcel to Elmer's son, F. Ross Coughran (1915-1999) and his wife, Gloria. They used the subject property for their business, Coughran's Floor Coverings, which had previously been located in Napa. They also lived nearby in one of the houses developed on the Assemblies of God property. Ross and Gloria Coughran had two sons, Ross and Leonard Coughran. In addition to operating a local business, Ross Coughran was active in the community, serving on the St. Helena City Council.<sup>6</sup>

In the 1970s, Eddie and Pearl Williams purchased the building for use as their antique shop and residence. Clarence "Eddie" Williams (1917-1979) married Pearl Aggers (1920-2014) in 1936 and they moved to St. Helena in 1944. Eddie Williams started the Texaco Service Station on Main Street in the 1950s. They started the antique store at 61 Main Street as a second business, filling it with Pearl Williams' finds from estate sales and flea markets. Eddie Williams died in 1979, and Pearl Williams sold the business and moved to Reno.<sup>7</sup>

In the 1980s, the building was the location of the St. Helena Delicatessen. The owner, Lynn C. Parkening (b.1946), had been a cook for thirty years at a restaurant in Moraga. He married Rosalyn Bresciani (b.1951) in 1969 and they had a son, Dave. Soon after starting the deli, Parkening realized the business was not successful and converted the space into the St. Helena Coffee Shop.<sup>8</sup>

In 1996, the building was purchased by SuLing Chen Chiu, who used the location for her restaurant, Golden Harvest. SuLing Chen Chiu immigrated to the United States in 1978, and started a restaurant in Fairfield. In the 1980s, SuLing Chen Chiu moved to Napa, where she started the restaurant Peking Palace with her husband, Michael, the cook. In 2000, she turned her focus solely to Golden Harvest, selling Peking Palace. In 2023, 61 Main Street is still the location of Golden Harvest.<sup>9</sup>

<sup>4</sup> Marian Hansen, *Images of America, St. Helena*, Charleston, SC: Arcadia Publishing, 2010, p. 96.

<sup>5</sup> Lin Weber, *Roots of the Present, Napa Valley 1900 to 1950*, St. Helena: Wine Adventures Publishing, 2001, p.148 – 175.

<sup>6</sup> *Statesman Journal*, "Rev. Elmer A. Coughran," Mar. 20, 1981, 6; *St. Helena Star*, "St. Helena Auto Park Sold," Jul. 30, 1948, 1; *St. Helena Star*, "New City Councilman Named," Oct. 12, 1967, 1; *St. Helena Star*, "We Have Moved To Our New Location," Jan. 12, 1967, 8.

<sup>7</sup> *St. Helena Star*, "EIR," May 9, 1974, 3; *Napa Valley Register*, "Obituaries: Clarence 'Eddie' Williams," Sep. 25, 1979, 12; *Contra Costa Times*, "Marriage Licenses," Dec. 14, 1969, 52; *St. Helena Star*, "New Antique Shop in St. Helena," Feb. 20, 1975, 5.

<sup>8</sup> *Napa Valley Register*, "St Helena Delicatessen," Feb. 4, 1984, 5; Derek J. Moore, "Last American Coffee Shop," *Napa Valley Register*, Mar. 5, 1995, 13.

<sup>9</sup> Abby Sawyer, "Commission Reviews Chinese Restaurant," *Napa Valley Register*, Dec. 20, 1995, 3; *Napa Valley Register*, "Peking Palace Opens Downtown," Feb. 1, 1988, 20; *Napa Valley Register*, "Public Notice," Mar. 25, 1996, 24; *Napa Valley Register*, "Public Notice to Creditors of Bulk Sale," May 15, 2000, 15.

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

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HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

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\*Recorded by Kara Brunzell      \*Date: June 17, 2023 ☒ Continuation    ☐ Update



Figure 2: St. Helena Delicatessen at 61 Main Street, c1986 (*Napa Valley Register*).



Figure 3: St. Helena Delicatessen interior and the Parkening family, c1984 (*Napa Valley Register*).



State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

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HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

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\*Recorded by Kara Brunzell      \*Date: June 17, 2023 ☒ Continuation ☐ Update



Figure 4: St. Helena Coffee Shop at 61 Main Street, c1995 (*Napa Valley Register*).

**Evaluation:**

The National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) require that a significance criterion from A-D or 1-4 (respectively) be met for a resource to be eligible.

Criterion A/1: The property at 61 Main Street is not associated with events that have made a significant contribution to the broad patterns of our history. The property is generally associated with the commercial development of St. Helena in the mid-twentieth century. The building appears to have been developed for use as highway-adjacent retail. Research has not revealed that the property is significant within the context of commercial development in the 1960s or with any other historic context. Therefore, the property is recommended not eligible to the NRHP or CRHR under Criterion A/1.

Criterion B/2: The property is not associated with the life of persons important to our history. The families who operated businesses on the property were not significant contributors to St. Helena's development, and research has revealed no important professional accomplishments or lasting impact on local history. It was a retail store and then housed various restaurants and lacks association with any known important persons. The property is recommended not eligible to the NRHP or CRHR under Criterion B/2.

Criterion C/3: The property is not significant for its architecture. Research has revealed no evidence that it was designed by an architect or by an important local contractor, nor does it exhibit the design elements present in architectural landmarks. The building is an unremarkable example of a c1960 commercial/residential building in St. Helena. It lacks decorative features or references to a particular architectural style, and it is not an outstanding example of vernacular architecture. For these reasons, the property is recommended not eligible to the NRHP or CRHR under Criterion C/3.

Criterion D/4: In rare instances, buildings themselves can serve as sources of important information about historic construction materials or technologies and be significant under Criterion D/4. 61 Main Street is an example of a well-understood type of construction and does not appear to be a principal source of important information in this regard.

The property is recommended not eligible for listing on the NRHP or CRHR and does not qualify as a historical resource pursuant to CEQA.

**REVISED**

8:49 am, Jul 13, 2023

**WATER DEMAND ANALYSIS  
FOR THE PROPOSED RESTUARENT LOCATED AT  
61 MAIN STREET, ST. HELENA, CA 94574  
APN 024-152-006**

**Prepared For:**

Bruce Marder  
2215 Wellesley Avenue  
Los Angeles, CA 90064  
(909) 362-4563

**Prepared By:**

Wine Country Civil Engineering  
Michael Grimes, PE  
176 Main Street  
St. Helena, CA 94574  
(707) 968-5261

Project No. 01.04.01

July 2023





July 2023  
Project No. 01.04.01

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APPENDICES

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| Appendix A | Table 1 – Baseline Existing Water Demand |
|            | Table 2 – Proposed Water Demand          |





July 2023  
Project No. 01.04.01

**WATER DEMAND ANALYSIS  
FOR THE PROPOSED RESTAURANT LOCATED AT  
61 MAIN STREET, ST. HELENA, CA 94574  
APN 024-152-006**

---

As required by the City of St. Helena Community Development Department, this report analyzes the water use for a proposed restaurant located on the above referenced parcel (APN) and associated street address.

**PROJECT DESCRIPTION**

Based on Napa County Planning, Building and Environmental Services (PBES) records, a residence existed on the parcel in the 1970s. Over the past 50+ years, the use and structure of the residence was converted to a deli, then a coffee shop, and is currently a restaurant. The current restaurant's Use Permit was initially approved in 1996 under P95-90 with an amendment approved in 2014 under PL14-027. The 1996 Use Permit allowed for thirty-five (35) seats and a maximum wastewater generation of 600 gallons per day (gpd) among other entitlements. The 2014 Use Permit amendment increased the number of seats by nineteen (19) and converted a portion of the existing restaurant's floor area used for employees and banquets to bar and table service.

Under this project, the existing restaurant building and surrounding hardscape will be demolished. The project proposes to construct a new restaurant building and install landscaping which would offer both indoor and outdoor seating resulting in an increase in the number of approved seats from 54 to a total of 76. Additional hardscape and ancillary structures are also proposed that will support the restaurant operations.

In preparation of this report, I reviewed the parcel's files at PBES and the City of St. Helena, held conversations with City staff, and performed a reconnaissance of the site to view existing conditions. This report summarizes my findings and provides an analysis of the approved and proposed water use in order to meet the City of St. Helena's Water Neutral Policy for Development.

**SITE FEATURES**

The existing 0.36± acre subject parcel is located within the City of St. Helena in the Commercial Services District (CS) zoning district. The parcel is currently developed with a building serving as a restaurant, a parking lot with access from Main Street, native vegetation, and landscaping.



July 2023  
Project No. 01.04.01

**WATER USE**

Water use for a restaurant typically includes glass and dish washing, hand washing, restroom use, and landscape irrigation. The following assumptions are for both the existing and proposed condition:

- Restaurant operates at full seating capacity minimum for each service offered
- Employees use the restroom twice (2) during their service shift
- Tableware (TW) (glass, dish, and flatware) washing racks are loaded full
- All restroom users use the sink to wash their hands
- Hand washing duration 30 seconds
- Restroom use duration 10 minutes

**Baseline Existing Demand**

The existing restaurant’s permitted operation is open to the public seven (7) days a week (Monday thru Sunday) from 12:00 PM to 8:00 PM offering both lunch and dinner service. It is assumed that the seat utilization rate (aka “table turns”) for the existing restaurant’s lunch service is slightly less than the rate for the existing restaurant’s dinner service; furthermore, both existing services’ seat utilization rates are less than the proposed restaurant’s dinner seat utilization rate since their durations are one (1) hour less than the proposed restaurant’s dinner service.

The approved Use Permit identifies a maximum number of seats, landscape irrigation, and limits wastewater generation to 600 gallons per day (gpd). Information regarding existing (current) landscape irrigation use was not available at the time this report was written. The following are the assumptions regarding the existing operations of the restaurant used in the baseline existing demand calculations:

- Employees (kitchen, bar, and service) 11 employees
- Number of seats 54 seats
- Number of Guests per service (lunch | dinner) 65 | 81 guests
- Percentage of Restroom use by Guests (both service) 50%
- Low-flow dish and/or glass washer water use 0.82 gallons per cycle
- Low-flow toilet and urinal water use 1.28 gallons per flush
- Low-flow sink water use 0.6 gallons per use
- Landscape water use Unknown

Based on the above assumptions, the Baseline Existing Average Daily Demand and the Total Annual Demand were calculated to be a minimum of 261.76 gallons and 95,280.64 gallons, respectively. These values should include both domestic and landscape irrigation water uses, however they are minimums because landscape irrigation water use was unknown at the time of this analysis.

July 2023  
Project No. 01.04.01

### Proposed Demand

The proposed restaurant's planned operation is to be open to the public five (5) days a week (Tuesday thru Saturday) from 4:30 PM to 9:30 PM offering only dinner service. The proposed Use Permit application requests a maximum number of seats, landscaping irrigation, and will utilize water efficient fixtures and appliances. Information regarding proposed landscape irrigation was provided as part of the Water Efficient Landscape Ordinance (WELo) worksheet (by others). The following are the planned operations of the restaurant used in proposed demand calculations:

- Employees (kitchen, bar, and service) 15 employees
- Number of seats 76 seats
- Number of Guests per service (dinner only) 120 guests
- Percentage of Restroom use by Guests 40%
- High-efficiency dish and/or glass washer water use 1.09 gallons per cycle
- Low-flow toilet and urinal water use 1.28 gallons per flush
- Low-flow sink water use 0.6 gallons per use
- Landscape irrigation water use (Annually) 41,138 gallons

Based on the above assumptions, the Proposed Average Daily Demand and Total Annual Demand were calculated to be 259.50 gallons and 94,456.20 gallons, respectively. These values include both domestic and landscape irrigation water use.

### Baseline Existing and Proposed Demand Comparison

Detailed calculations for the Baseline Existing Demand and the Proposed Demand conditions can be found in Table 1 and Table 2 in the Appendix, respectively. Implementing the proposed operations identified herein, the planned restaurant's estimated proposed water demand is less than the present restaurant's baseline existing water demand for both the average daily (gpd) and total annual scenarios.

### **SUMMARY**

The proposed project can meet the City of St. Helena's Water Neutral Policy for Development because the proposed project's estimated water demand is not expected to exceed the existing approved water demand of the parcel.

July 2023  
Project No. 01.04.01

#### REFERENCES

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City of St. Helena. "St. Helena Water Neutral Policy for Development." 2011.



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APPENDIX A

Table 1 - Baseline Existing Water Demand

Table 2 - Proposed Water Demand

| Table 1<br>Baseline Existing Water Demand                                                                                                                                                                                                                                                                                                            |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------|------------------|---------------|--------------------------|-----------------|---------------------|------------------|-------------------|-----------------|
| Total Seats                                                                                                                                                                                                                                                                                                                                          |               | 54               |                  |               |                          |                 |                     |                  |                   |                 |
| Fixture                                                                                                                                                                                                                                                                                                                                              | Utilization % | Employees (each) | Use per Employee | Guests (each) | Tableware (TW) per Guest | Total Use or TW | Use or TW per Cycle | Number of Cycles | Gallons per Cycle | Total (gallons) |
| Lunch                                                                                                                                                                                                                                                                                                                                                | 120%          |                  |                  |               |                          |                 |                     |                  |                   |                 |
| Glass                                                                                                                                                                                                                                                                                                                                                |               | 0                | 0                | 65            | 2                        | 130             | 16                  | 9                | 0.82              | 7.38            |
| Dishes                                                                                                                                                                                                                                                                                                                                               |               | 0                | 0                | 65            | 2                        | 130             | 16                  | 9                | 0.82              | 7.38            |
| Dinner                                                                                                                                                                                                                                                                                                                                               |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
| Glass                                                                                                                                                                                                                                                                                                                                                | 150%          | 0                | 0                | 81            | 2                        | 162             | 16                  | 11               | 0.82              | 9.02            |
| Dishes                                                                                                                                                                                                                                                                                                                                               |               | 0                | 0                | 81            | 2                        | 162             | 16                  | 11               | 0.82              | 9.02            |
| Toilets / Urinal                                                                                                                                                                                                                                                                                                                                     | 100%          | 11               | 4                |               |                          | 44              | 1                   | 44               | 1.28              | 56.32           |
| Toilets / Urinal                                                                                                                                                                                                                                                                                                                                     | 50%           |                  |                  | 146           |                          | 73              | 1                   | 73               | 1.28              | 93.44           |
| Lavatory Sink                                                                                                                                                                                                                                                                                                                                        | 100%          | 11               | 4                |               |                          | 44              | 1                   | 44               | 0.6               | 26.40           |
| Lavatory Sink                                                                                                                                                                                                                                                                                                                                        | 50%           |                  |                  | 146           |                          | 73              | 1                   | 73               | 0.6               | 43.80           |
| Bar Sink                                                                                                                                                                                                                                                                                                                                             |               |                  | 0                | 146           | 0.1                      | 15              | 1                   | 15               | 0.6               | 9.00            |
| Total Employee & Guest Maximum Daily Water Demand                                                                                                                                                                                                                                                                                                    |               |                  |                  |               |                          |                 |                     |                  |                   | 261.76          |
|                                                                                                                                                                                                                                                                                                                                                      |               | Number of Open   |                  | WELO ETWU     |                          | Water Demand    |                     |                  |                   |                 |
|                                                                                                                                                                                                                                                                                                                                                      |               | Days             | Weeks            | Annual        | Ave Daily                |                 |                     | Total Annual     | Average Daily     |                 |
|                                                                                                                                                                                                                                                                                                                                                      |               | (per week)       | (annually)       | (gallons)     | (gallons)                |                 |                     | (gallons)        | (gallons)         |                 |
| Total                                                                                                                                                                                                                                                                                                                                                |               | 7                | 52               | n/a           | n/a                      |                 |                     | 95,280.64        | 261.76            |                 |
| Notes:                                                                                                                                                                                                                                                                                                                                               |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
| <div>For Sinks, it is assumed</div> <div>Flow Rate: 1.2 gallons/min</div> <div>Time of use: 30 seconds</div> <div>- Lunch service Utilization is assumed to be less than dinner service even though durations are equal (4 hours).</div> <div>- Existing (current) WELO Estimated Total Water Use (ETWU) and acutal water use are unavailable.</div> |               |                  |                  |               |                          |                 |                     |                  |                   |                 |

| Table 2<br>Proposed Water Demand                                                                                         |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
|--------------------------------------------------------------------------------------------------------------------------|---------------|------------------|------------------|---------------|--------------------------|-----------------|---------------------|------------------|-------------------|-----------------|
| Total Seats                                                                                                              |               | 76               |                  |               |                          |                 |                     |                  |                   |                 |
| Fixture                                                                                                                  | Utilization % | Employees (each) | Use per Employee | Guests (each) | Tableware (TW) per Guest | Total Use or TW | Use or TW per Cycle | Number of Cycles | Gallons per Cycle | Total (gallons) |
| Lunch                                                                                                                    | 0%            |                  |                  |               |                          |                 |                     |                  |                   |                 |
| Glass                                                                                                                    |               |                  |                  | 0             | 2                        | 0               | 20                  | 0                | 1.09              | 0.00            |
| Dishes                                                                                                                   |               |                  |                  | 0             | 2                        | 0               | 16                  | 0                | 1.09              | 0.00            |
| Dinner                                                                                                                   | 157%          |                  |                  |               |                          |                 |                     |                  |                   |                 |
| Glass                                                                                                                    |               |                  |                  | 120           | 4                        | 480             | 20                  | 24               | 1.09              | 26.16           |
| Dishes                                                                                                                   |               |                  |                  | 120           | 3                        | 360             | 16                  | 23               | 1.09              | 25.07           |
| Toilets / Urinal                                                                                                         | 100%          | 15               | 2                |               |                          | 30              | 1                   | 30               | 1.28              | 38.40           |
| Toilets / Urinal                                                                                                         | 40%           |                  |                  | 120           |                          | 48              | 1                   | 48               | 1.28              | 61.44           |
| Lavatory Sink                                                                                                            | 100%          | 15               | 2                |               |                          | 30              | 1                   | 30               | 0.6               | 18.00           |
| Lavatory Sink                                                                                                            | 40%           |                  |                  | 120           |                          | 48              | 1                   | 48               | 0.6               | 28.80           |
| Bar Sink                                                                                                                 |               |                  |                  | 120           | 0.1                      | 12              | 1                   | 12               | 0.6               | 7.20            |
| Total Employee & Guest Maximum Daily Water Demand                                                                        |               |                  |                  |               |                          |                 |                     |                  |                   | 205.07          |
| Number of Open                                                                                                           |               |                  |                  | WELO ETWU     |                          |                 |                     | Water Demand     |                   |                 |
|                                                                                                                          |               | Days             | Weeks            |               |                          | Annual          | Ave Daily           |                  |                   |                 |
|                                                                                                                          |               | (per week)       | (annually)       |               |                          | (gallons)       | (gallons)           |                  |                   |                 |
| Total                                                                                                                    |               | 5                | 52               |               |                          | 41,138          | 112.71              |                  |                   | 259.50          |
| Notes:                                                                                                                   |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
| For Sinks, it is assumed                                                                                                 |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
| Flow Rate: 1.2 gallons/min                                                                                               |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
| Time of use: 30 seconds                                                                                                  |               |                  |                  |               |                          |                 |                     |                  |                   |                 |
| - Proposed project's Annual Estimated Total Water Use (ETWU) provided by Streamline, WELO Worksheet dated March 1, 2023. |               |                  |                  |               |                          |                 |                     |                  |                   |                 |



## PLANNING COMMISSION REPORT

Planning Commission Meeting of October 17, 2023

**FILE NUMBER:** PL23-026

**SUBJECT:** The applicant is requesting adoption of a resolution approving a Short-Term Rental Permit to rent one dwelling unit on their property located at 777 Fulton Lane in the A-20 zoning district in accordance with the requirements of the Short-Term Rental Ordinance.

**PREPARED BY:** Aaron Hecock, Senior Planner

**REVIEWED BY:** Maya DeRosa, Community Development Director

**APPROVED BY:** Maya DeRosa, Community Development Director

**APPLICATION FILED:**06/08/23

**ACCEPTED AS COMPLETE:**06/28/23

**LOCATION OF PROPERTY:** 777 Fulton Lane

**APN:** 009-150-001

**GENERAL PLAN/ZONING:** Agriculture / Twenty-acre Agriculture (A-20)

**APPLICANT:** Andrew Navone

**PHONE:** (925) 963-6203

### **BACKGROUND**

In 2016, the short-term rental (STR) ordinance was updated and amended including the addition of a local preference policy. This addition states "*Preference for the review and issuance of new short-term rental permits shall be given to current residents of St. Helena over nonresident applicants. Applicants whose primary residence is within the city of St. Helena shall be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for short-term rental permits.*" There are currently 3 STR permits available (out of a total of 25) that staff is working towards filling.



The applicant submitted an application, including evidence of local residency, for a STR permit on June 8, 2023. In accordance with the STR ordinance, a notice of application was sent to all residents and property owners within 300 feet of the subject parcel on June 28, 2023 informing them of the STR application and notifying them that they may submit written comments on the application. At the conclusion of the 30-day public comment period (July 28, 2023), no comments were received by staff. The application was then scheduled on a publicly noticed Planning Commission agenda and all residents and property owners within 300 feet were notified of the meeting.

## **ANALYSIS**

### **CEQA**

The project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

### **GENERAL PLAN/ZONING**

The property has a General Plan land use designation of Agriculture and is within Twenty-acre Agriculture (A-20) zoning district. The A-20 district provides for agricultural and residential uses. With the exception of those hillside areas designated woodlands and watershed, and wineries designated winery, all lands outside the urban limit line are designated A-20 regardless of their size or use. Short-term rentals which are defined as a use in which overnight accommodations are provided to guests for compensation for periods of less than thirty (30) days in a single-family dwelling are a permitted use (with an approved STR permit) in the A-20 district.

### **Short-term Rental Permit**

St. Helena Municipal Code (SHMC) Section 17.134 regulates short-term rentals within the city. The purpose of the STR ordinance is to establish a permitting process and appropriate restrictions and standards for the short-term rental of single-family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city; to ensure the collection and payment of transient occupancy taxes (TOT); to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.

In accordance with SHMC Section 17.134.060(A), the Planning Commission shall review and either approve or deny the application after considering the effects the proposed use would have on surrounding uses and the cumulative impacts within the community. In approving a STR application, the planning commission must make the following findings:

1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.

*Staff response: The establishment of a short-term rental at the subject property is consistent with the General Plan in that the number of short-term rental permits is capped at 25 to reduce impacts on rental housing.*

2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.

*Staff response: The subject property is not listed on the City's Historic Resources Master list and the establishment of a short-term rental in the small (650 sf), 1 bedroom, 1 bathroom residence in the middle of the large agriculturally zoned property would not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historic nature.*

3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.

*Staff response: The establishment of a short-term rental in the small (650 sf), 1 bedroom, 1 bathroom residence in the middle of the large agriculturally zoned property would not be detrimental to the character of the neighborhood or surrounding land uses in that the residence is physically separated from potentially sensitive uses by its location on the 12 acre parcel.*

4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.

*Staff response: The establishment of a short-term rental at this site would provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and would help to ensure the collection and payment of transient occupancy taxes in that a visitor would be able to stay in the middle of an agriculturally zoned property in the heart of wine country away from other tourists and issuing the applicant a permit requires them to file monthly TOT forms with the City and to pay all applicable taxes.*

Per SHMC Section 17.134.090, a STR permit may be revoked by the Planning Director if any of the following occur:

1. The owner-applicant gave false or misleading information during the application process;
2. There has been a violation of any of the terms, conditions and restrictions on the use of the dwelling unit for short-term rental use;
3. The owner-applicant has violated any provision of the ordinance; or
4. The owner-applicant has failed to timely pay the transient occupancy tax as required by this code.

*Additional Staff Response: The City has an adopted short-term rental ordinance that allows for a maximum of 25 short-term rental permits; 3 of the 25 permits are currently available. Short-term rentals are a permitted use (with an approved permit) within the A-20 district and the City would benefit from TOT revenue collected from an active short-term rental permit holder.*

*The applicant has owned the property for more than 3 years and has provided evidence that they are a full-time St. Helena resident with the subject property being their primary residence. Additionally, the proposed STR location has two (2) required off-street parking spaces and is five (5) bedrooms or less (it is a 650 sf, 1 bedroom, 1 bathroom residence located in the middle of a 12 acre agriculturally zoned property). The location of the proposed STR is ideal in that there is limited potential to disrupt neighbors due to the location and small size of the unit. The application meets all the criteria established by the City Council for a preferred permit holder.*

### **ISSUES**

Staff has not identified any outstanding issues related to this application that require further discussion.

### **CORRESPONDENCE**

At the time of agenda publication, staff had received no correspondence related to this application.

### **STAFF RECOMMENDATION**

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15061(B)3; and
2. Approve the attached resolution allowing for the issuance of a short-term rental permit at 777 Fulton Lane.

### **ATTACHMENTS**

[Resolution](#)

[Applicant Statement](#)

[APN & Aerial](#)

[Site Plan](#)

[Floor Plan](#)

[STR location map 2023](#)



**CITY OF ST. HELENA PLANNING COMMISSION  
RESOLUTION NO.  
GRANTING A SHORT-TERM RENTAL PERMIT TO  
777 FULTON LANE (#PL23-026)**

**PROPERTY OWNERS:** Andrew and David Navone

**APN:** 009-150-001

**RECITALS**

- A. On June 8, 2023, the applicant submitted an application for a short-term rental permit for the property located at 777 Fulton Lane in the Twenty-acre Agriculture (A-20) zoning district;
- B. Subsequently, staff confirmed the applicant's eligibility to apply for a short-term rental permit under the short-term rental ordinance's restrictions and standards (St. Helena Municipal Code Section 17.134.040);
- C. In accordance with the short-term rental ordinance, a Notice of Application was sent to all residents and property owners within 300 feet of the subject parcel on June 28, 2023 informing them of the short-term rental application and notifying them that they may submit written comments on the application;
- D. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law;
- E. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on October 17, 2023; and
- F. Now, therefore let it be found that, the Planning Commission approves the Short-term Rental Permit based on the findings below and subject to the conditions of approval enumerated herein.

**RESOLUTION**

- A. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
- B. The Planning Commission hereby finds that the Short-Term Rental Permit application complies with the following required findings pursuant to Section 17.134.060 of the St. Helena Municipal Code:
  - 1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock in that the City Council has adopted a short-term

*777 Fulton Lane  
Short-term Rental Approval  
October 17, 2023*

rental ordinance limiting the number of permitted short-term rental in the City to twenty-five (25).

2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature in that no modifications to a structure will occur as a result of a short-term rental permit being issued.
3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses in that the residence is physically separated from potentially sensitive uses by its location on the 12 acre parcel.
4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes in that a visitor would be able to stay in the middle of an agriculturally zoned property in the heart of wine country away from other tourists and issuing the applicant a permit requires them to file monthly TOT forms with the City and to pay all applicable taxes.

#### **CONDITIONS OF APPROVAL**

C. The Short-Term Rental Permit for the above described property is granted subject to compliance with the following conditions:

1. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of the permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. Pursuant to the St. Helena Municipal Code, Section 17.134.040. Short-Term Rentals shall be subject to the following restrictions and standards:
  - a. The short-term rental use shall be permitted in no more than one dwelling per lot.
  - b. The short-term rental permit shall be in the name of the owner-applicant, who shall be an owner of the real property upon which the short-term rental use is to be permitted. One person may hold no more than one short-term rental permit. The permit shall not be transferable.
  - c. Short-term rental uses shall be limited to dwellings existing and constructed as of the date of application for the short-term rental permit.
  - d. The total number of permits for short-term rental dwellings shall not exceed twenty-five (25) at any time.
  - e. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than two (2). The total

777 Fulton Lane  
Short-term Rental Approval  
October 17, 2023

number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms plus two persons, up to a maximum of six (6) persons.

- f. Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department before any short-term rental activity can occur.
        - g. A minimum of two (2) on-site parking spaces shall be provided for use by the short-term rental occupants.
        - h. The owner-applicant shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each short-term rental on the city's webpage.
3. The owner-applicant shall post "house policies" within each guest bedroom. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner-applicant or the owner-applicant's designated contact person. The house policies at a minimum shall include the following provisions:
  - a. Quiet hours shall be maintained from ten p.m. to seven a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.
  - b. Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.
  - c. Except as permitted by the planning director, vehicles shall be parked in the designated on-site parking area and shall not be parked on the street overnight.
  - d. Parties or group gatherings which exceed the maximum number of allowed guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
4. Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

5. The owner-applicant shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
6. The owner-applicant, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
7. All advertising for any short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.
8. The owner-applicant shall maintain city business licenses and pay all transient occupancy taxes in accordance with Chapter 3.28 as required.
9. Preference for the review and issuance of new short-term rental permits shall be given to current residents of St. Helena over nonresident applicants. Applicants whose primary residence is within the city of St. Helena shall be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for short-term rental permits.
10. Only the 1 bedroom, 1 bathroom residence at 777 Fulton Lane may be used as a short-term rental on the subject property.
11. Short-term rental permit holders are required to rent their properties on a short-term basis a minimum (average) of sixty (60) days per year. Individual permit holders who do not meet this minimum rental activity may (at the determination of the director) have their renewal denied and/or reviewed by the planning commission at a noticed public hearing. Short-term rental permit holders who utilize their primary residence for short-term rental activities are exempted from this requirement.
12. This permit is valid for 2 years and the owner must reapply for subsequent short-term rental permits to extend the use beyond this period. It is the applicant's responsibility to apply for renewal, no notice will be provided from the City.
13. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.



**I HEREBY CERTIFY** that the foregoing short-term rental permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on October 17, 2023 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

APPROVED:

ATTEST:

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John Ponte  
Chair, Planning Commission

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Maya DeRosa, AICP  
Community Development Director

Approximately five years ago my brother and I put our names on the short term rental housing wait list. After the long wait, we received notification from the city that we are able to apply for the short term rental permit. The unit in question is part of a 12 acre parcel located within easy walking distance of downtown. Ideal for a short term rental, the unit intended for approval is a small one bedroom home on our property, which also includes both my and my brothers owner occupied dwellings. The impact to the surrounding houses and other businesses is minimal as there are no structures within 300 feet of the proposed rental unit.

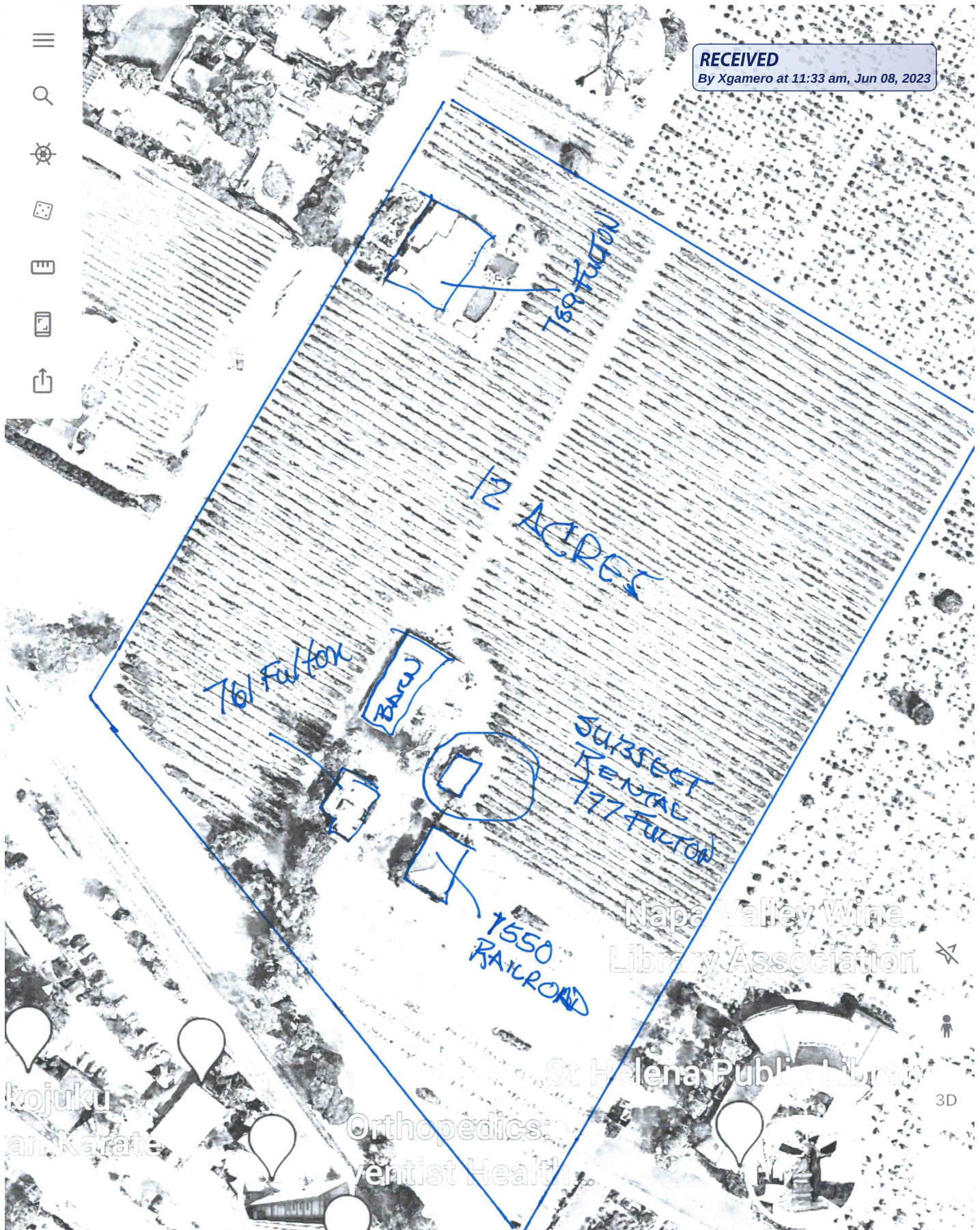
  
ANDREW NAVONE

  
David Navone

**RECEIVED**  
By Xgamero at 11:32 am, Jun 08, 2023



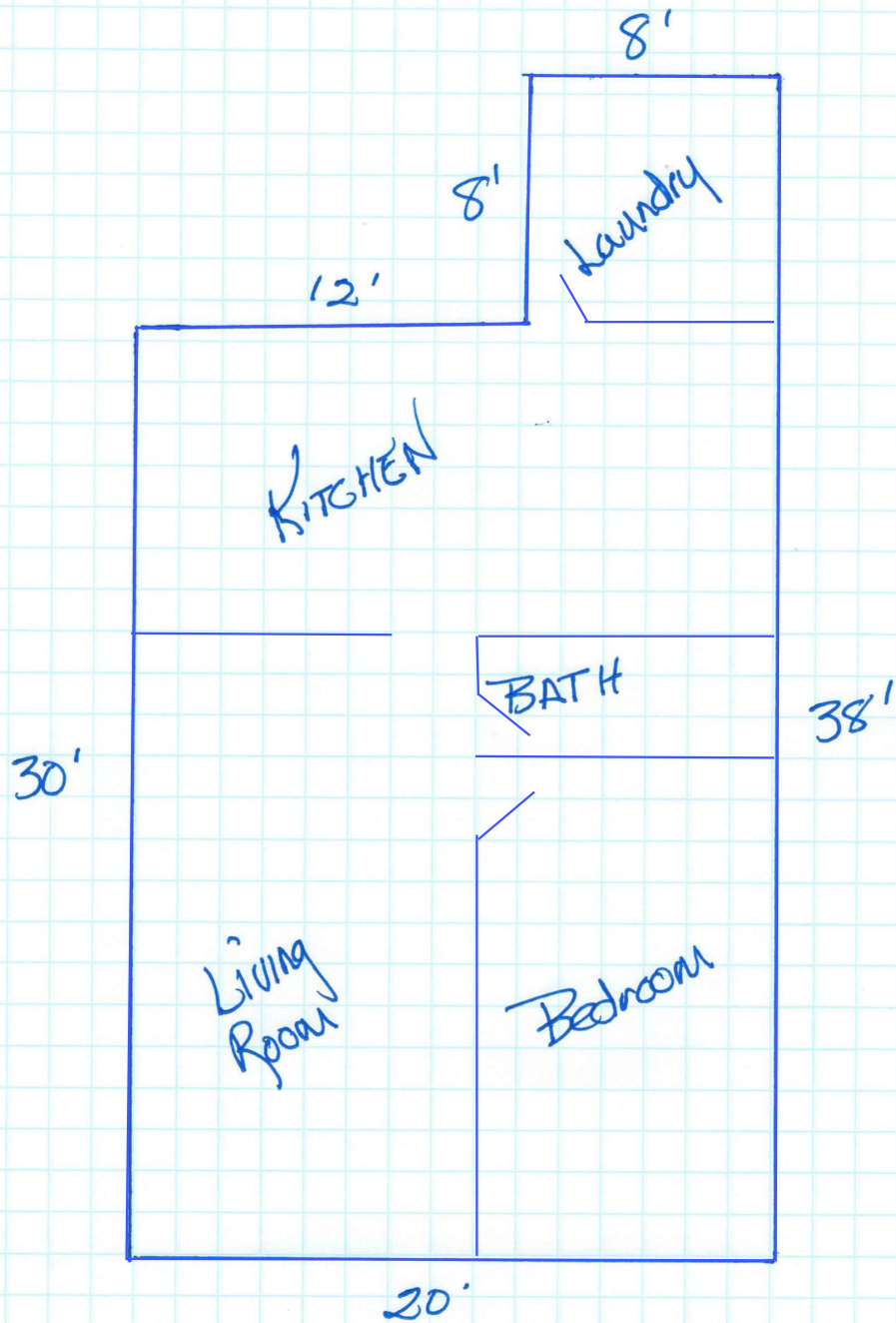






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By Xgamero at 11:35 am, Jun 08, 2023



777 FULTON Lane



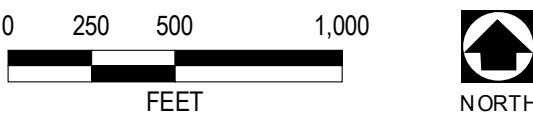
# SHORT-TERM RENTAL LOCATIONS

CITY OF  
ST. HELENA

## Base Map

### LEGEND

- Major Roads
- Local Roads
- River/Stream/Creek
- Water Bodies
- Parcels
- St. Helena City Boundary
- Urban Limit Line
- Short-term Rental Locations (approximate)



SAINT HELENA

